

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**2007 GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF NORTH CAROLINA**  
**SECOND SESSION**  
**2008**

**OFFICERS AND MEMBERS  
OF  
THE SENATE OF THE NORTH CAROLINA  
GENERAL ASSEMBLY  
2007 SESSION  
SECOND SESSION 2008**

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	RESIDENCE
1	MARC BASNIGHT (D).....	Manteo
2	JEAN R. PRESTON (R).....	Emerald Isle
3	S. CLARK JENKINS (D).....	Tarboro
4	EDWARD W. JONES (D).....	Enfield
5	JOHN H. KERR III (D).....	Goldsboro
6	HARRY BROWN (R).....	Jacksonville
7	DOUG BERGER (D).....	Youngsville
8	R. C. SOLES, JR. (D).....	Tabor City
9	JULIA BOSEMAN (D).....	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	NEAL HUNT (R).....	Raleigh
16	JANET COWELL (D).....	Raleigh
17	RICHARD Y. STEVENS (R).....	Cary
18	BOB ATWATER (D).....	Chapel Hill
19	TONY RAND (D).....	Fayetteville
20	FLOYD B. McKISSICK, JR. (D).....	Durham
21	LARRY SHAW (D).....	Fayetteville

22 HARRIS BLAKE (R).....Pinehurst  
23 ELEANOR KINNAIRD (D).....Carrboro  
24 ANTHONY FORIEST (D) .....Graham  
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 DON W. EAST (R).....Pilot Mountain  
31 PETER S. BRUNSTETTER (R) .....Lewisville  
32 LINDA GARROU (D).....Winston-Salem  
33 STAN BINGHAM (R).....Denton  
34 ANDREW C. BROCK (R).....Mocksville  
35 W. EDWARD GOODALL, JR. (R).....Weddington  
36 FLETCHER L. HARTSELL, JR. (R).....Concord  
37 DANIEL G. CLODFELTER (D).....Charlotte  
38 CHARLIE S. DANNELLY (D).....Charlotte  
39 ROBERT PITTENGER (R) (Resigned 5-27-08).....Charlotte  
ROBERT A RUCHO (R) (Appointed 6-6-08).....Charlotte  
40 MALCOLM GRAHAM (D).....Charlotte  
41 JAMES FORRESTER (R).....Mt. Holly  
42 AUSTIN M. ALLRAN (R).....Hickory  
43 DAVID W. HOYLE (D).....Dallas  
44 JIM JACUMIN (R).....Connelly Springs  
45 STEVE GOSS (D) .....Boone  
46 WALTER H. DALTON (D).....Rutherfordton  
47 JOE SAM QUEEN (D) .....Waynesville  
48 TOM APODACA (R).....Hendersonville  
49 MARTIN L. NESBITT, JR. (D).....Asheville  
50 JOHN J. SNOW, JR. (D).....Murphy

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# SENATE JOURNAL

## SECOND SESSION

2008

### ONE HUNDRED FOURTEENTH DAY

Senate Chamber  
Tuesday, May 13, 2008

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

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

"Gracious God, as this Session of the Legislature begins, unprecedented numbers of people in our Country and in North Carolina are energized and enthusiastically participating in the political process. I can't remember such a time. It seems a miracle. Those of us not elected to public service have been given a primer on just how difficult a task the Senators must face each day in law making as we have struggled with the complexities in decision-making and positions held before casting our votes in the May 6 Primary. Help the Members here rightly divide their priorities and their time. So many more than ever will be with them in thought, in prayer, and now in action, as will you, O God. Amen."

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, September 11, 2007, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. G. Hadley Callaway from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.*

### PRESENTATION OF A NORTH CAROLINA FLAG

In May 2006, the Senate presented to Brigadier General Jim Trogdon, a General Assembly Staff Member, a North Carolina flag to take with him to Iraq while serving there with the North Carolina National Guard. Today, Brigadier General Jim Trogdon presents the flag that he flew over his battalion while serving in Iraq to the Senate to be on display in the Legislative Building.

Staff Sergeant Stewart Smith and Specialist Mathew Gordon served with him and assist with the presentation of the North Carolina flag to the North Carolina Senate.

Upon motion of Senator Brock, the remarks of Brigadier General Trogdon are spread upon the Journal, as follows:

**Brigadier General Trogdon:**

“Madame President and Senate *Pro Tempore* Basnight, distinguished members of the Senate, I was deeply honored in May 2006 to stand before this Body and receive this North Carolina flag prior to deployment to Iraq in support of multi-national division north in Operation Iraqi Freedom. During our twelve months in Iraq, my soldiers conducted almost a half million miles of route clearance patrols, cleared thousands of IED’s, repaired numerous bridges and hundreds of miles of roadway and partnered with Iraqi army engineer units to expand their capabilities. In recognition of our service and achievement, our unit was awarded the Meritorious Unit Citation by General David Petraeus. American soldiers have always answered the call to duty, but when I think of the rich heritage of our men and women in uniform, I must specifically mention a few with whom I served. I will always remember Sergeant Jonathan Kingman who just one month prior I had awarded to him his combat action badge for directly engaging the enemy on main supply route Tampa in Iraq. He was later killed on that same stretch of Tampa by vehicle born IED. I will never forget how his fellow soldiers filed through the chapel within an hour of his death and took turns holding his hand and saying their goodbyes. Sergeant Kingman was twenty-three and a father of three. I will always remember Lieutenant Christopher Rutherford who successfully led his distribution platoon on several hundred combat missions and was later killed by a landmine near Bashi. As he was carried on a litter to the medical evacuation helicopter at the site of the detonation, he gave a thumbs-up and a confidence smile to his platoon. For over an hour doctors tried to repair the internal injuries and when short of blood they called for volunteers. Over a hundred soldiers showed up within a matter of minutes, but the damage was too severe. I will always remember and be profoundly influenced by the dedication and performance of Sergeant First-Class Pohaho, one of my platoon Sergeants, who was awarded a purple heart in January, one in February and one in March of 2007 due to wounds received in three separate engagements. During his last engagement, his vehicle was destroyed and he was evacuated to Germany and then three months later returned to Iraq and requested to be reassigned to his platoon and additional patrols. These are all soldiers who exemplify selfless service and have significantly influenced my ability to stand here today. The last twenty-five years have certainly taught me that quality soldiers and leaders will always be at the heart of our success. The war on terrorism has been the longest war in our Nation’s history fought by an all volunteer force. Our soldiers volunteered to defend our Nation and its values no matter the personal cost. History will certainly remember the names of Casey and Petraeus and Odierno, but in this historical struggle of our time the unnamed heros of Mosul, Baqubah, and Samarra and those that daily patrol Tampa are the true stars as well as those who supported them at home. As I routinely told my soldiers in Iraq, two hundred years from now no one will remember us and we all individually will be lost to history, but history may remember us collectively as an army and possibly how we turned the tide in Iraq, ultimately defeated the spread of radical terrorism and continued to ensure the blessings of this wonderful reality we call home. I do not know how historians will ultimately interpret our efforts, but I do know that each of us who serve will always remember those that were on his right and his left and

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those who supported us at home. Therefore, in this light, it is with great pleasure that I return this flag to the North Carolina Senate in honor of your outstanding and steadfast support to the 105th Engineer Group and the North Carolina National Guard. The flag is surrounded by some images of the people, missions, challenges, and accomplishments of our time in Iraq as well as a plaque on the bottom that reads, 'This North Carolina state flag was presented by the Senate to the Commander of the 105th Engineer Group of the North Carolina National Guard prior to the 2006 deployment of the unit in support of Operation Iraqi Freedom. During this mission, Task Force Castle found and cleared more improvised explosive devices, conducted more miles of route clearance patrols, repaired more blast craters, and repaired more miles of roads than any other engineer unit in Iraq. This flag was displayed within Task Force Castle tactical operations center during the deployment. It was presented to the Senate in May 2008 in honor of the sacrifice of the engineers conducting this vital mission in support of a free and democratic Iraq.' Madame President, I would like to return this flag in honor of the Senate's outstanding support for the North Carolina National Guard. Thank you."

The President extends courtesies of the gallery to General Trogdon's wife, Karen; daughter, Kathryn; and sons, James, Graham, and Grayson.

### INTRODUCTION OF BILLS AND RESOLUTIONS

A joint resolution is filed for introduction today, the rules are suspended and it is read the first time, and disposed of, as follows:

By Senators Dannelly; Albertson, Atwater, Basnight, Berger of Franklin, Blake, Boseman, Brock, Brunstetter, Clodfelter, Cowell, Dorsett, Foriest, Forrester, Garrou, Goss, Graham, Hagan, Hoyle, Hunt, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Snow, Soles, Stevens, Swindell, Tillman and Weinstein:

**S.J.R. 1580**, A JOINT RESOLUTION HONORING NORTH CAROLINA VETERANS DURING OBSERVANCE OF VETERANS DAY AT THE NORTH CAROLINA GENERAL ASSEMBLY WITH PARTICULAR EMPHASIS ON RECOGNIZING THE MEN AND WOMEN WHO SERVED DURING THE KOREAN WAR.

The joint resolution is placed on the Calendar for Wednesday, May 14, 2008.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

John Anderson, North Wilkesboro; Gavin Baldwin, Topton; Debrielle Boone, Zebulon; Sam Cates, Kenansville; Ryan Davenport, Summerfield; Will Edwards, Chadbourne; Herman Fernandez, Fayetteville; Morgan Gay, Rocky Mount; Stacey Groce, Wilkesboro; Hailey Harris, Rougemont; Adara Ingram, Fayetteville; DJ Lester, Timberlake; Garrett Poole, Raleigh; Tanner Robbins, Greensboro; Brad Smith, Lumberton; Jeremy Trevathan, Rocky Mount; Christin Wilson, Winston-Salem; and Haleigh Wilson, Winston-Salem.

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Upon motion of Senator Basnight, seconded by all Members of the Senate, the Senate adjourns subject to reading of messages from the House of Representatives, letters from the Governor, and Executive Orders, to meet Tuesday, May 14, at 2:00 P.M.

**MESSAGE FROM THE GOVERNOR**

The following special message is received from the Governor:

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAIL SERVICE CENTER·RALEIGH, NC 27699-0301**

MICHAEL F. EASLEY  
GOVERNOR

April 18, 2008

Ms. Janet Pruitt  
Principal Clerk of the Senate  
North Carolina General Assembly  
2007 Legislative Building  
Raleigh, NC 27601

Dear Ms. Pruitt:

Pursuant to North Carolina General Statute § 143B-426.37, I hereby appoint David McCoy to serve as State Controller of the Office of the State Controller and submit his name for confirmation by the North Carolina General Assembly. His term shall begin July 1, 2008 and will expire June 30, 2015.

Enclosed is biographical information on this appointee. Please feel free to call on him or members of my staff if you need additional information.

With kindest regards, I remain

Very truly yours,  
S/Michael F. Easley

MFE: as

cc: The Honorable Marc Basnight  
The Honorable Joe Hackney  
The Honorable Beverly Perdue  
Ms. Denise Weeks

Referred to the **Commerce, Small Business and Entrepreneurship Committee.**

May 13, 2008

**MESSAGE FROM THE GOVERNOR**

The following special message is received from the Governor:

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAIL SERVICE CENTER·RALEIGH, NC 27699-0301**

MICHAEL F. EASLEY  
GOVERNOR

May 2, 2008

Ms. Janet Pruitt  
Principal Clerk of the Senate  
North Carolina General Assembly  
2007 Legislative Building  
Raleigh, NC 27601

Dear Ms. Pruitt:

Pursuant to G.S. § 135-6, I hereby submit to you the name of Ms. Pearla M. Alston for consideration to the North Carolina Teachers' and State Employees' Retirement System Board of Trustees. Her term will be effective immediately pending confirmation by the North Carolina Senate and will expire on March 31, 2011.

I also hereby reappoint the following individuals to the North Carolina Teachers' and State Employees Retirement System Board of Trustees and submit their names for confirmation by the North Carolina Senate. Their terms will be effective immediately pending confirmation and will expire as follows:

Ms. Shirley East Harris	March 31, 2011
Ms. Joyce H. Elliot	June 30, 2011
Mark Roberts	March 31, 2012
Harold T. Keen	March 31, 2012
Paschal W. Swann	March 31, 2012

Enclosed is a copy of the biographical information for each individual. If further information is needed or desired, please feel free to call on him or her, or contact Sara A. Kusan, Director Boards and Commissions, at (919) 715-0966.

With kindest regards, I remain

Very truly yours  
S/Michael F. Easley

MFE: as  
Enclosures

cc: The Honorable Beverly Perdue  
The Honorable Marc Basnight

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Referred to the **Pensions & Retirement and Aging Committee.**

**MESSAGE FROM THE GOVERNOR**

The following special message is received from the Governor:

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAIL SERVICE CENTER·RALEIGH, NC 27699-0301**

MICHAEL F. EASLEY  
GOVERNOR

May 2, 2008

Ms. Janet Pruitt  
Principal Clerk of the Senate  
North Carolina General Assembly  
2007 Legislative Building  
Raleigh, NC 27601

Dear Ms. Pruitt:

Pursuant to G.S. § 106-2, I hereby appoint Mr. Larry Sampson and Mrs. Jean J. Boseman to the North Carolina State Board of Agriculture and submit their names for confirmation by the North Carolina Senate. Their terms will be effective immediately pending confirmation and will expire on May 1, 2013.

Enclosed is biographical information on each of these individuals. If further information is needed or desired, please feel free to call on him or her, or contact Sara A. Kusan, Director of Boards and Commissions, at (919) 715-0966.

With kindest regards, I remain

Very truly yours,  
S/Michael F. Easley

MFE: as  
Enclosures

cc: The Honorable Beverly Perdue  
The Honorable Marc Basnight

Referred to the **Agriculture/Environment/Natural Resources Committee.**

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**EXECUTIVE ORDERS**

Executive Orders received are presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows (*See Appendix*):

**Executive Order Number 124**, Replacing Executive Order No. 86, Statewide Flexible Benefits Program.

**Executive Order Number 125**, Extending Executive Order No. 84, North Carolina Emergency Response Commission.

**Executive Order Number 126**, Extending Executive Order No. 89, Food Safety and Defense Task Force.

**Executive Order Number 127**, Extending Executive Order No. 91, Governor's Task Force for Healthy Carolinians.

**Executive Order Number 128**, Governor's Advisory Council on Hispanic/Latino Affairs.

**Executive Order Number 129**, Extending Executive Order No. 123, Emergency Relief for Damage caused by Drought.

**Executive Order Number 130**, Proclamation of State Disaster for the Town of Spruce Pine.

**Executive Order Number 131**, Proclamation of State Disaster for the Town of Tryon.

**Executive Order Number 132**, Proclamation of State Disaster for the Town of Taylorsville.

**Executive Order Number 133**, Replacing Executive Order No. 83, Juvenile Justice Planning Committee.

**Executive Order Number 134**, Extending Executive Order No. 123, Emergency Relief for Damage caused by Drought.

**Executive Order Number 135**, Amending and Extending Executive Order No. 123, Emergency Relief for Damage caused by Drought.

**Executive Order Number 136**, Reestablishing the North Carolina Commission on Volunteerism and Community Service.

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**Executive Order Number 137**, North Carolina Interagency Council for Coordinating Homeless Programs.

**Executive Order Number 138**, Amending Executive Order No. 84, regarding the North Carolina Emergency Response Commission.

**Executive Order Number 139**, North Carolina State Health Coordinating Council.

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 1256** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS, for concurrence in the House Committee Substitute bill, as amended.

Referred to the **Rules and Operations of the Senate Committee**.

**S.B. 1352** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE GAP FUNDING FOR PROJECTS BONDED BY THE NORTH CAROLINA TURNPIKE AUTHORITY, for concurrence in the House Committee Substitute bill.

Referred to the **Appropriations/Base Budget Committee**.

**H.J.R. 2071**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 2007 GENERAL ASSEMBLY TO MEET IN 2008 AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

Referred to the **Rules and Operations of the Senate Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 12:57 P.M.

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**ONE HUNDRED FIFTEENTH DAY**

Senate Chamber  
Wednesday, May 14, 2008

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

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

"Dear God, as I watched, yesterday's opening session reminded me of being in a church service. There was good-natured talking during the prelude, greetings from the Lieutenant Governor, the prayer, a very inspirational message from Brigadier General Trogdon, birthday well-wishes to Senator Basnight, welcome of guest pages. Then a call to get to work by committee chairs and Senator Garrou. But it also reminded me that when I was a teenager my preacher told me that sometime during every one-hour church service, he didn't know when, God had something really special to communicate to me. After that revelation, I quit writing as many notes on my worship bulletin to my girlfriend and listened a lot more. Since then I've come to realize that whether we are sitting under a steeple or under the dome of the Senate Chamber, God has something special to communicate to you, meaning a message still applies. We are grateful. Help us to be good listeners for your sake. Amen."

The Chair grants a leave of absence for today to Senator Bingham.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Tuesday, May 13, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Robert Majors from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Camella Marcom from Henderson, North Carolina, who is serving the Senate as Nurse of the Day.*

**PERFORMANCE BY STUDENTS FROM THE NORTH CAROLINA  
SCHOOL OF THE ARTS**

Upon motion of Senator Garrou, privileges of the floor are granted to Dean Jordan Kerner, Dean of the North Carolina School of the Arts Filmaking, and the following students from the North Carolina School of the Arts who perform: Rene Barbera, solist, who won a Metropolitan Opera competition, accompanied on the piano by David Kelsey; Ciera Payton, drama performance, accompanied on the saxophone by Travis Calvert; and Josh Holritz, violin.

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The President extends courtesies of the gallery to other guests from the School of the Arts, Brannon Wiles, Production Manager, and Jim Decristo, Director of Economic Development and External Affairs.

### CALENDAR

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

**S.J.R. 1580, A JOINT RESOLUTION HONORING NORTH CAROLINA VETERANS DURING OBSERVANCE OF VETERANS DAY AT THE NORTH CAROLINA GENERAL ASSEMBLY WITH PARTICULAR EMPHASIS ON RECOGNIZING THE MEN AND WOMEN WHO SERVED DURING THE KOREAN WAR.**

Upon motion of Senator Dannelly, the joint resolution is read in its entirety and, upon motion of Senator Goodall, the remarks of the members, are spread upon the Journal, as follows:

**Senator Dannelly:**

“Thank you, Madame President. As a Korean Veteran, it gives me a great deal of pleasure to stand and honor the wonderful servicemen and women that served during that time. I was in Korea and left on January 1954 and came back home. The resolution speaks to the forgotten war. When we were there, they called it the Korean Conflict and later Congress made it officially a war. Lawrence Ellerbe Hunt and our famous Zeb Alley became best friends while serving in Korea. Lawrence had just finished college when he was called into combat three weeks later. They both had completed active duty in the army and joined the army reserves. They were assigned to the Thirtieth Infantry of the Second Infantry Division. Unfortunately, Lawrence was shot and killed in combat on February 13, 1951. His family received the Purple Heart for his efforts. Lawrence was the cousin of former Governor James B. Hunt. Now Zeb states that when Governor Hunt was fourteen, he met him and of course he took him under his wing. And once he was elected Governor, then Governor Hunt invited Zeb to work for him in his office as an attorney. There is nothing anyone can say that can really fathom the sacrifices that one gives knowing that it could be the ultimate sacrifice when you serve our Country in a war. I honor these men from the deepest part of my heart and ask you to approve this resolution.”

**Senator Rand:**

“Thank you, Madame President. Ladies and gentlemen of the Senate, I have recently been reading *American Caesar*, which is the biography of Douglas McArthur. It was very moving to me to read about what was called, as Senator Dannelly was saying, the Korean Conflict. I believe they called it a police action at the time and to read how truly desperate the early days of that war

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really were and what a stressful time in the history of our Nation it was because we were directly in conflict with the Soviet Union, with Communist China and all of this was at play across the backdrop of the world with it being directly in conflict there in Korea. Men and women who so bravely served us there did so against amazing odds. The equipment was not as it should have been. They weren't supplied as they should have been and it was really tough, but the things they did and the service they rendered to this Nation I hope will always be realized and from time to time, we will take the time to go back and read about what really went on because the passage of time tends to dim all of that. The heroism and the service that was rendered was truly amazing and so we thank them for their service and tell them that our Country will never forget the sacrifice and the service that they rendered to all of us at a particular perilous time in the history of the world. Thank you, Madame President."

**Senator Blake:**

"Madame President and fellow Senators, I want to thank Senator Dannelly for bringing this resolution forward. It is amazing how time flies so fast. Actually, fifty-seven years ago plus two months I was in Fort Jackson, South Carolina in basic training. About four months after that, I was on my way to Korea. I didn't make it to Korea, but when I got to Japan, that was the debarkation point for Korea. At that point, there were about four thousand men at that time on a big parade ground and for whatever reasons, seventy names were called out of that formation and my name was one of them. I thought it was the usual detail, pick up cigarette butts or whatever, because the name Blake was always first on that list to pick up cigarette butts. But I am standing here today because through all the struggles that we have had throughout history, most of those struggles have been successful and my job in Japan was sending troops into Korea and sending troops back home. When I got to Japan for my assignment it was August 1951. The first troops that I saw coming back to the Country were GIs who had a very serious look on their face because those guys were in Korea during one of the most awesome wars that our Country has ever faced. I never knew why they called it a conflict, but they did. I also remember when I got home two years later, a lot of folks asked me, 'Where have you been? I haven't seen you lately.' I was not astute enough then to understand what that meant. But looking back, I know what it meant because that was a limited war. The whole Country was not involved. Later on we went to Vietnam and that war really was the last chapter, I believe, of the wars being fought with a limited scope. I'm saying all of this because the sacrifices we have made as a Country, like Korea, South Korea, when I was there it was a desolate country, so was Japan. Today, Japan is one of our leading allies. South Korea is an awesome place. So for those in the Country today that second guess or condemn our leadership about being involved in Iraq, I hope that one day this effort we are in today will be looked upon as a major effort that has kept us free and our children free in the future. Senator Dannelly, thank you very much for

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this resolution. Madame President, thank you for the time that you have given me to reflect on my years in an unpopular war that protected millions of people around the world and their freedom. Thank you very much and I certainly encourage you to support this resolution. Thank you.”

The joint resolution passes its second reading (49-0) and third reading with members standing and is ordered sent to the House of Representatives by special message.

The President extends the courtesies of the gallery to the family of PFC Lawrence Ellerbe Hunt, including: former Governor, Jim Hunt, first cousin; Frances Hunt Hall, sister; and her children, Anne and Hank Hardin; Libby Hunt Whitacre, Sister; and her husband, Harry Whitacre; Korean War Veterans; the leaders of several veterans service organizations and veterans from all over North Carolina.

### INTRODUCTION OF BILLS AND RESOLUTIONS

A bill is filed for introduction, the rules are suspended and it is read the first time, and disposed of, as follows:

By Senators Rand; Preston and Purcell:

**S.B. 1604**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR ARTS NORTH CAROLINA, INC., TO CREATE SPECIAL PLATES FOR AIR FORCE COMBAT ACTION MEDAL RECIPIENTS, COMBAT ACTION BADGE RECIPIENTS, COMBAT ACTION RIBBON RECIPIENTS, AND FOR COMBAT MEDICAL BADGE RECIPIENTS.

Referred to the **Finance Committee**.

Upon motion of Senator Basnight, seconded by Senator Albertson, the Senate adjourns subject to introduction of bills, to meet Thursday, May 15, at 10:00 A.M.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Goss:

**S.J.R. 1576**, A JOINT RESOLUTION RECOGNIZING APPALACHIAN STATE UNIVERSITY'S FOOTBALL TEAM ON WINNING ITS THIRD STRAIGHT NATIONAL CHAMPIONSHIP.

Referred to the **Rules and Operations of the Senate Committee**.

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By Senator Goss:

**S.B. 1577**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE LIABILITY OF SKI AREA OPERATORS FOR DAMAGES RELATED TO CERTAIN WINTER SPORTS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Dorsett; and Hagan:

**S.J.R. 1578**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN GREENSBORO, NORTH CAROLINA, AT NORTH CAROLINA A&T STATE UNIVERSITY IN HONOR OF GREENSBORO'S BICENTENNIAL ANNIVERSARY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Stevens and Cowell:

**S.B. 1579**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

Referred to the **State & Local Government Committee**.

By Senators Hoyle; Albertson, Atwater, Blake, Dannelly, Dorsett, Garrou, Jenkins, Kerr, Malone, Snow, Stevens, Swindell and Weinstein:

**S.B. 1581**, A BILL TO BE ENTITLED AN ACT TO CLARIFY ACCESS TO PUBLIC EMPLOYEE PERSONNEL RECORDS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Hoyle; Albertson, Apodaca, Atwater, Berger of Franklin, Clodfelter, Dannelly, Dorsett, Garrou, Goodall, Hagan, Jenkins, Kerr, Malone, McKissick, Nesbitt, Preston, Snow, Stevens, Swindell and Weinstein:

**S.B. 1582**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

By Senators Hoyle; Albertson, Apodaca, Atwater, Berger of Franklin, Clodfelter, Dannelly, Dorsett, Foriest, Garrou, Hagan, Jenkins, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Snow, Stevens, Swindell and Weinstein:

**S.B. 1583**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Boseman:

**S.J.R. 1584**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN

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ACT TO ALLOW THE STATE TO ACQUIRE LOCKS AND DAMS 1, 2, AND 3 ON THE CAPE FEAR RIVER FROM THE UNITED STATES.

Referred to the **Rules and Operations of the Senate Committee.**

By Senator Boseman:

**S.B. 1585**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO ACQUIRE LOCKS AND DAMS 1, 2, AND 3 ON THE CAPE FEAR RIVER FROM THE UNITED STATES.

Referred to the **Rules and Operations of the Senate Committee.**

By Senators Boseman; Goodall and Preston:

**S.B. 1586**, A BILL TO BE ENTITLED AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Boseman; and Preston:

**S.B. 1587**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA STATE PORTS AUTHORITY FOR EXPANSION OF PROGRAMS AT THE PORTS OF WILMINGTON, MOREHEAD CITY, AND RADIO ISLAND.

Referred to the **Appropriations/Base Budget Committee.**

By Senators Boseman; and Preston:

**S.J.R. 1588**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

Referred to the **Rules and Operations of the Senate Committee.**

By Senators Boseman; and Preston:

**S.B. 1589**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

Referred to the **Rules and Operations of the Senate Committee.**

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By Senator Soles:

**S.B. 1590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK.

Referred to the **State & Local Government Committee**.

By Senator Soles:

**S.B. 1591**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF TOPSAIL BEACH WITH ITS EMERGENCY BEACH NOURISHMENT PROJECT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1592**, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW STATE ATTRACTION PLATE FOR THE BALD HEAD ISLAND LIGHTHOUSE ALSO KNOWN AS "OLD BALDY."

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 1593**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PENDERLEA HOMESTEAD MUSEUM.

Referred to the **Appropriations/Base Budget Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:11 P.M.

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## ONE HUNDRED SIXTEENTH DAY

Senate Chamber  
Thursday, May 15, 2008

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

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

"Dear Lord, we offer our prayers today for the people of China, Myanmar, and those across the great plains of our own Country devastated by natural disasters. Be especially attentive to them, O God, and may the help our Country offers out of our bounty change their despair into hope. Speaking of hope, yesterday's exceptional goose-bump raising performances by the young people from the North Carolina School of the Arts, remind us that you continue to gift

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the young with extraordinary talents. Some from younger generations already serve the Senate as members. Others work here week after week as pages. Still others, children, look down on the proceedings from the gallery. From generation to generation we are in good hands, yours. Amen."

The Chair grants leaves of absence for today to Senator Bingham, Senator Garrou, Senator Kinnaird and Senator Queen.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, May 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. John K. Williford, Jr., from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day.*

#### **CHANGES TO 2007 SENATE COMMITTEE**

Pursuant to Rule 31, Senator Basnight, President *Pro Tempore* announces the following committee changes:

Senator Dannelly is appointed Co-Chairman of the **Appropriations/Base Budget Committee**.

Senator Albertson is appointed Co-Chairman of the **Appropriations/Base Budget Committee**.

Senator Dalton and Senator Hagan will serve as Advisory Members of the **Appropriations/Base Budget Committee**.

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**S.J.R. 1580**, A JOINT RESOLUTION HONORING NORTH CAROLINA VETERANS DURING OBSERVANCE OF VETERANS DAY AT THE NORTH CAROLINA GENERAL ASSEMBLY WITH PARTICULAR EMPHASIS ON RECOGNIZING THE MEN AND WOMEN WHO SERVED DURING THE KOREAN WAR. (Res. 2)

#### **ADDITIONAL SPONSORS**

Senator Brown requests to be added as a sponsor of previously introduced legislation:

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**S.J.R. 1588**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

**S.B. 1589**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

Senator Swindell requests to be added as a sponsor of previously introduced legislation:

**S.B. 1582**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND.

**S.B. 1583**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS.

**S.J.R. 1588**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

**S.B. 1589**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY.

Upon motion of Senator Basnight, seconded by Senator Shaw, the Senate adjourns subject to introduction of bills, to meet Monday, May 19, at 7:00 P.M.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Goss:

**S.B. 1594**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OUTDOOR HISTORICAL DRAMA "HORN IN THE WEST."

Referred to the **Appropriations/Base Budget Committee**.

By Senators Pittenger; Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Forrester, Goodall, Hunt, Jacumin, Smith, Stevens and Tillman:

**S.B. 1595**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOW THE STATE TREASURER SHALL ADDRESS CERTAIN STATE INVESTMENTS RELATING TO IRAN.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Pittenger; Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Forrester, Goodall, Hunt, Jacumin, Smith, Stevens and Tillman:

**S.B. 1596**, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA CITIZEN PROTECTION ACT.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Cowell and Stevens:

**S.B. 1597**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION.

Referred to the **State & Local Government Committee**.

By Senator Jones:

**S.B. 1598**, A BILL TO BE ENTITLED AN ACT TO ADD THE TOWN OF HOBGOOD TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS.

Referred to the **State & Local Government Committee**.

By Senator Jones:

**S.B. 1599**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HOBGOOD TO ENROLL ITS EMPLOYEES AND RETIRED EMPLOYEES IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

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By Senator Jones:

**S.B. 1600**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Referred to the **Finance Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1601**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE CORPORATE LIMITS OF THE TOWN OF BOLTON.

Referred to the **State & Local Government Committee**.

By Senator Soles:

**S.B. 1602**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CASWELL BEACH.

Referred to the **State & Local Government Committee**.

By Senators Weinstein and Swindell:

**S.R. 1603**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senators Jenkins and Kerr:

**S.B. 1605**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SHERIFF AND APPROPRIATE DEPUTY SHERIFFS IN PITT COUNTY TO ACCESS INFORMATION IN THE PRESCRIPTION DRUG DATABASE MAINTAINED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WHEN THE SHERIFF OR DEPUTY SHERIFFS ARE ENGAGED IN A BONA FIDE INVESTIGATION RELATING TO THE REGULATION OF LEGAL DRUGS.

Referred to the **Judiciary I Committee**.

By Senators Cowell; Hunt, Jones, Malone and Stevens:

**S.B. 1606**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A RESIDENTIAL FACILITY AT THE PRAIRIE RIDGE ECOSTATION FOR WILDLIFE AND LEARNING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Kinnaird; Basnight, Malone, Purcell, Rand, Shaw and Stevens:

**S.B. 1607**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FAMILY HOUSE AT UNC HOSPITALS.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Forrester, Smith; Allran, Apodaca, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Goodall, Hartsell, Hoyle, Hunt, Jacumin, Pittenger, Preston and Tillman:

**S.B. 1608**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.

Referred to the **Ways & Means Committee**.

By Senators Nesbitt and Apodaca:

**S.B. 1609**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ASSIST WITH OPERATING COSTS FOR THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt; Allran, Apodaca, Atwater, Berger of Franklin, Brunstetter, Cowell, Dannelly, Dorsett, Forrester, Goss, Graham, Hoyle, Jenkins, Jones, Kinnaird, Malone, Purcell, Queen, Shaw, Snow and Tillman:

**S.B. 1610**, A BILL TO BE ENTITLED AN ACT TO ENACT VARIOUS LAWS TO IMPROVE THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Mental Health & Youth Services Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1611**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE NORTH CAROLINA VETERANS PARK.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1612**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Boseman, Dalton, Foriest, Goss, Rand, Snow and Stevens:

**S.B. 1613**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE TEACHER CADET PROGRAM TO ALL COUNTIES IN THE STATE.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Swindell; and Malone:

**S.B. 1614**, A BILL TO BE ENTITLED AN ACT DIRECTING THAT FUNDS APPROPRIATED FOR THE FOCUSED EDUCATION REFORM PILOT PROGRAM SHALL NOT REVERT AT THE END OF EACH FISCAL YEAR.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Boseman, Dalton, Foriest, Goss, Snow and Stevens:

**S.B. 1615**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE STATEWIDE PROGRAM FOR INFECTION CONTROL AND EPIDEMIOLOGY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Boseman, Dalton, Foriest, Snow and Stevens:

**S.B. 1616**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COLLEGE OF VETERINARY MEDICINE CLINICAL TEACHING AND RESEARCH FUND.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Blake; Brock, Brown, East, Goodall, Hunt and Pittenger:

**S.B. 1617**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A "HOME OF AMERICAN GOLF" SPECIAL REGISTRATION PLATE FOR THE GIVEN MEMORIAL LIBRARY, INC.

Referred to the **Finance Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 10:24 A.M.

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## ONE HUNDRED SEVENTEENTH DAY

Senate Chamber  
Monday, May 19, 2008

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

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

"Dear Lord, most of us on this Monday night have scheduled our week with little time to spare. The last thing we want to happen is to have to wait on

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anyone or anything that intrudes into our finely-tuned schedule. Any kind of waiting is difficult for us. We don't like slow elevators or long check-out lines at the grocery. But sometimes those intrusions that cause us to wait are God directed. The Psalmist reminds us 'Wait on the Lord.' Waiting on you can introduce new factors and unexpected answers. Though your pace may differ from our sense of urgency, you are never late, O God. In our busy schedules this week give us the grace of waiting for you. Amen."

The Chair grants leaves of absence for tonight to Senator Allran, Senator Bingham, Senator Dalton, Senator Goodall, Senator Hagan and Senator Kinnaird.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Thursday, May 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Richard Adelman from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Donna White from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.*

#### WITHDRAWAL FROM COMMITTEE

**S.J.R. 1578**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN GREENSBORO, NORTH CAROLINA, AT NORTH CAROLINA A&T STATE UNIVERSITY IN HONOR OF GREENSBORO'S BICENTENNIAL ANNIVERSARY, referred to the **Rules and Operations of the Senate Committee** on May 14.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it before the Senate for immediate consideration.

Senator Dorsett offers Amendment No. 1 which is adopted (40-0).

The joint resolution, as amended, passes its second (39-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 274** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT, referred to the **Appropriations/Base Budget Committee** on July 31, 2007.

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Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Rules and Operations of the Senate Committee**.

### INTRODUCTION OF BILLS AND RESOLUTIONS

A bill is filed for introduction today, the rules are suspended and it is read the first time, and disposed of, as follows:

By Senator Snow:

**S.B. 1646**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ORDERLY FISCAL MANAGEMENT OF ANY MONETARY SETTLEMENT OF THE 1943 AGREEMENT BETWEEN SWAIN COUNTY AND THE UNITED STATES DEPARTMENT OF INTERIOR.

The bill is placed on the Calendar for Tuesday, May 20.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

Melissa Austin, Walkertown; Bree Barnes, Raleigh; Kimba Barnes, Raleigh; LaQuita Blackmon, Greensboro; Nickolas Brantley, Salemburg; Jerrelle Brooks, Carthage; Joshua Cahoon, Salemburg; Erica Faulk, Carthage; Abigail Green, Waynesville; Sierra Hare, Salemburg; Janii James, Browns Summit; Sophia Lucas, Carthage; Jocelyn McPhatter, Salemburg; Keristen Patterson, Burlington; Brandy Reeves, Raleigh; Randall Rine II, Salemburg; Jonathon Smith, Newport; Taylor Spencer, Salemburg; Jaleisa Whitley, Charlotte; Megan Wiley, Greensboro; and Adrian Womble, Lake Waccamaw.

Upon motion of Senator Dannelly, seconded by Senator Garrou, the Senate adjourns subject to introduction of bills and reading of executive orders, to meet Tuesday, May 20, at 2:00 P.M.

### EXECUTIVE ORDERS

**Executive Order Number 140**, Termination of Executive Order No. 82.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

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By Senators Malone; Albertson, Apodaca, Atwater, Berger of Franklin, Boseman, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, Forrester, Goss, Graham, Hagan, Hartsell, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Shaw, Snow, Stevens, Swindell, Tillman and Weinstein:

**S.B. 1618**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA LITERACY CONNECTION PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.J.R. 1619**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BURGAW TO LEVY A PREPARED FOOD AND BEVERAGES TAX.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Soles:

**S.J.R. 1620**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Purcell:

**S.B. 1621**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Purcell:

**S.B. 1622**, A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF OAKBORO AND LOCUST TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS.

Referred to the **State & Local Government Committee**.

By Senators Purcell; Dannelly, Dorsett, Jones and Malone:

**S.B. 1623**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA OSTEOPOROSIS EDUCATION PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Dannelly, Dorsett, Jones and Malone:

**S.B. 1624**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PREVENT BLINDNESS NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Purcell; Dannelly, Dorsett, Jones and Malone:

**S.B. 1625**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEWBORN SCREENING FEE.

Referred to the **Finance Committee**.

By Senators Purcell; Dannelly, Dorsett, Jones and Malone:

**S.B. 1626**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE NATIONAL CHILDHOOD CANCER FOUNDATION.

Referred to the **Finance Committee**.

By Senators Weinstein; Apodaca, Dannelly, Purcell and Soles:

**S.B. 1627**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.

Referred to the **Finance Committee**.

By Senators Hoyle and Clodfelter:

**S.B. 1628**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

Referred to the **Finance Committee**.

By Senators Hoyle; Bingham, Brown, Cowell, Garrou, Hagan, Kerr, Malone, McKissick, Nesbitt, Rand, Snow and Stevens:

**S.B. 1629**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED EXEMPTION FOR BAKED GOODS FROM STATE SALES AND USE TAXES.

Referred to the **Finance Committee**.

By Senators Hoyle; Bingham, Brown, Cowell, Garrou, Hagan, Kerr, Malone, McKissick, Nesbitt, Rand, Snow and Stevens:

**S.B. 1630**, A BILL TO BE ENTITLED AN ACT TO EXEMPT BAKED GOODS FROM STATE SALES AND USE TAXES.

Referred to the **Finance Committee**.

By Senator Hartsell:

**S.B. 1631**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

By Senator Hartsell:

**S.B. 1632**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

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By Senator Hartsell:

**S.B. 1633**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PROSTHETISTS, ORTHOTISTS, AND PEDORTHIST LICENSURE ACT.

Referred to the **Commerce, Small Business and Entrepreneurship Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senator Soles:

**S.J.R. 1634**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF DAVID MCCOY AS STATE CONTROLLER.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 7:37 P.M.

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## ONE HUNDRED EIGHTEENTH DAY

Senate Chamber  
Tuesday, May 20, 2008

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

Prayer is offered by The Honorable Steve Goss, Senator from Watauga County, as follows:

"God of Creation, in the spirit of hope, love and peace we seek your presence. As we lead our people as servants, may we serve you as leaders and at the same time, lead our people as servants. In Christ name I pray and in the name of all faiths, I pray for each one that is here and beyond, Amen."

The Chair grants a leave of absence for today to Senator Bingham.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Monday, May 20, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Selene G. Parckh from Chapel Hill, North Carolina, who is serving the Senate as Doctor of the Day.*

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Rand for the **Rules and Operations of the Senate Committee**:

**H.B. 274** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 50886, which changes the title, upon concurrence, to read **H.B. 274** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT", is adopted and engrossed.

**WITHDRAWAL FROM COMMITTEE**

**S.B. 1358** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT, referred to the **Appropriations/Base Budget Committee** on July 10, 2007.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Rules and Operations of the Senate Committee**.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

A bill is filed for introduction, the rules are suspended and it is read the first time, and disposed of, as follows:

By Senator Queen:

**S.J.R. 1702**, A JOINT RESOLUTION RECOGNIZING THE BICENTENNIAL OF HAYWOOD COUNTY AND HONORING JOHN HAYWOOD, FOR WHOM THE COUNTY IS NAMED.

The joint resolution is placed on the Calendar for Wednesday, May 21.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

May 20, 2008

**S.B. 1646**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ORDERLY FISCAL MANAGEMENT OF ANY MONETARY SETTLEMENT OF THE 1943 AGREEMENT BETWEEN SWAIN COUNTY AND THE UNITED STATES DEPARTMENT OF INTERIOR.

Senator Snow offers Amendment No. 1 which is adopted (49-0).

The bill, as amended, passes its second reading (45-4) and third reading (45-4) and is ordered engrossed and sent to the House of Representatives by special message.

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 249**, A JOINT RESOLUTION HONORING THE LIVES AND ACHIEVEMENTS OF LOUIS ROUND WILSON, SUSAN GREY AKERS, AND FREDERICK G. KILGOUR OF THE SCHOOL OF INFORMATION AND LIBRARY SCIENCE, THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, ON THE 75TH ANNIVERSARY OF ITS FOUNDING, referred to the **Rules and Operations of the Senate Committee** on May 1, 2007.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Wednesday, May 21, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Wednesday, May 21.

#### ADDITIONAL SPONSORS

Senator Boseman requests to be added as a sponsor of previously introduced legislation:

**S.B. 1358**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT.

Senator Snow requests to be added as a sponsor of previously introduced legislation:

**S.B. 1608**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.

**S.B. 1627**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.

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Upon motion of Senator Dannelly, seconded by Senator Pittenger, the Senate adjourns subject to introduction of bills and receipt of committee reports, to meet Wednesday, May 21, at 2:00 P.M.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Rand for the **Rules and Operations of the Senate Committee:**

**S.B. 1358** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 85424, which changes the title to read **S.B. 1358** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT", is adopted and engrossed.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Purcell:

**S.B. 1635**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE ROTARY PLANETARIUM AND SCIENCE CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Preston:

**S.B. 1636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE.

Referred to the **State & Local Government Committee**.

By Senator Goss:

**S.B. 1637**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MARIAM AND ROBERT HAYES PERFORMING ARTS CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goss:

**S.B. 1638**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

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NORTH CAROLINA TO ASSIST WITH THE PLANNING COSTS FOR THE NEW FACILITY FOR THE COLLEGE OF NURSING AND HEALTH SCIENCES AT APPALACHIAN STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goss:

**S.B. 1639**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO ENABLE THE TOWN OF BOONE TO PURCHASE A NEW FIRE TRUCK SO THAT THE TOWN CAN ADEQUATELY PROTECT APPALACHIAN STATE UNIVERSITY FROM FIRES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Apodaca:

**S.B. 1640**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF HENDERSONVILLE TO ENROLL ITS EMPLOYEES OR RETIREES IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senator Apodaca:

**S.B. 1641**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE INCLUSION OF FRANCHISE TAX RECEIPTS ALLOCATED TO MILLS RIVER TO BE INCLUDED IN THE BASE AMOUNT USED TO DETERMINE A LOCAL GOVERNMENT'S PROPORTIONAL SHARE OF THE SALES TAX DISTRIBUTION FROM VIDEO PROGRAMMING COLLECTIONS.

Referred to the **Finance Committee**.

By Senators Malone, Swindell, Dorsett, Forrester; Albertson, Atwater, Berger of Franklin, Brunstetter, Foriest, Jones, Nesbitt, Purcell and Stevens:

**S.B. 1642**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE SENIOR CENTER GENERAL PURPOSE FUND, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Swindell, Dorsett, Forrester; Albertson, Atwater, Berger of Franklin, Brunstetter, Foriest, Jones, Nesbitt, Purcell and Stevens:

**S.B. 1643**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THE HOME AND COMMUNITY CARE BLOCK GRANT, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Malone, Dorsett, Forrester; Albertson, Atwater, Berger of Franklin, Brunstetter, Foriest, Jones, Nesbitt, Purcell, Stevens and Swindell:

**S.B. 1644**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO HEARING LOSS IN OLDER ADULTS IN NORTH CAROLINA AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Berger of Franklin:

**S.B. 1645**, A BILL TO BE ENTITLED AN ACT TO ADD THE TOWN OF BUTNER TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS.

Referred to the **State & Local Government Committee**.

By Senator Swindell:

**S.B. 1647**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO WILSON COUNTY TO PLAN THE WHIRLIGIG ARTISANS MARKETING CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Swindell:

**S.B. 1648**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE.

Referred to the **Finance Committee**.

By Senators Swindell; Allran and Forrester:

**S.B. 1649**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Swindell:

**S.B. 1650**, A BILL TO BE ENTITLED AN ACT TO INCLUDE NASH COUNTY WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

Referred to the **State & Local Government Committee**.

By Senator Hartsell:

**S.B. 1651**, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

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By Senators Clodfelter and Hartsell:

**S.B. 1652**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Select Committee on Government and Election Reform**.

By Senator East:

**S.B. 1653**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MOUNT AIRY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Referred to the **State & Local Government Committee**.

By Senator East:

**S.B. 1654**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY.

Referred to the **Finance Committee**.

By Senators Berger of Franklin; Cowell, Graham, Malone, McKissick, Purcell, Queen, Snow, Swindell and Weinstein:

**S.B. 1655**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIOFUELS CENTER OF NORTH CAROLINA TO CONTINUE THE IMPLEMENTATION OF THE NORTH CAROLINA STRATEGIC PLAN FOR BIOFUELS LEADERSHIP.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow; Atwater, Goss, Purcell and Queen:

**S.B. 1656**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO REGIONAL COUNCILS OF GOVERNMENT TO ASSIST LOCAL GOVERNMENTS ON A REGIONAL BASIS IN THE AREAS OF COMMUNITY DEVELOPMENT, INFRASTRUCTURE AND OTHER SIGNIFICANT LOCAL NEEDS, AND TO PROVIDE TARGETED ASSISTANCE TO AID LOCAL GOVERNMENTS IN DISTRESSED COUNTIES WITH ECONOMIC RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow, Nesbitt, Queen; Allran, Apodaca, Atwater, Berger of Franklin, Blake, Boseman, Brown, Brunstetter, Cowell, East, Forrester, Goss, Jacumin, Preston, Purcell, Rand, Stevens and Tillman:

**S.B. 1657**, A BILL TO BE ENTITLED AN ACT TO REVERSE THE INTERPRETATION OF THE DEPARTMENT OF REVENUE CONCERNING THE IMPOSITION OF SALES TAX ON INTERIOR DESIGN SERVICES PROVIDED IN CONJUNCTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

Referred to the **Finance Committee**.

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By Senators Rand; Atwater, Berger of Franklin, Clodfelter, Cowell, Dorsett, Foriest, Garrou, Hartsell, Hoyle, Kerr, McKissick, Purcell, Queen, Snow, Soles, Stevens, Swindell, Tillman and Weinstein:

**S.B. 1658**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DIVISION TEACCH AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO PROVIDE SERVICES TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rand; Allran, Atwater, Berger of Franklin, Boseman, Cowell, Dorsett, Foriest, Garrou, Goss, Hartsell, Kerr, McKissick, Queen, Soles, Stevens, Swindell, Tillman and Weinstein:

**S.B. 1659**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE'S PUBLIC LIBRARY SYSTEMS FOR PUBLIC LIBRARY COLLECTIONS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rand, Tillman; Albertson, Atwater, Brunstetter, Garrou and Hartsell:

**S.B. 1660**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS AT THE NORTH CAROLINA ZOOLOGICAL PARK.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1661**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

By Senator Rand:

**S.B. 1662**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF NURSING AND APPROVED BY THE RULES REVIEW COMMISSION.

Referred to the **Health Care Committee**.

By Senators Rand; and Shaw:

**S.B. 1663**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FAYETTEVILLE STATE UNIVERSITY TO CONSTRUCT A FIRE TRAINING TOWER FOR ITS FIRE SCIENCE PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Dannelly and Tillman:

**S.B. 1664**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT CENTRAL PARK NC.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Foriest, Forrester, McKissick, Queen and Snow:

**S.B. 1665**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FUNDS FOR THE DEVELOPMENT OF PROGRAMS TO SERVE ADULTS WITH AUTISM SPECTRUM DISORDER.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, McKissick, Queen and Snow:

**S.B. 1666**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA GENERAL STATUTES COMMISSION TO STUDY THE UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, McKissick, Queen, Snow and Weinstein:

**S.B. 1667**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF RESEARCH, DEMONSTRATIONS, AND RURAL HEALTH DEVELOPMENT, FOR A GRANT PROGRAM TO ASSIST IN THE PROVISION OF PRIMARY AND PREVENTIVE MEDICAL SERVICES TO UNINSURED OR MEDICALLY INDIGENT PATIENTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Dannelly, Forrester, McKissick and Snow:

**S.B. 1668**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BILL MARTIN AND RUTH EASTERLING HEALTH CARE POLICY COUNCIL.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; McKissick and Snow:

**S.B. 1669**, A BILL TO BE ENTITLED AN ACT TO PROTECT COMMUNITY COLLEGE STUDENTS AND STAFF, AS WELL AS VISITING PUBLIC SCHOOL STUDENTS, FROM EXPOSURE TO TOBACCO BY AUTHORIZING LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, IN COMMUNITY COLLEGE FACILITIES, ON COMMUNITY COLLEGE CAMPUSES, OR AT COMMUNITY COLLEGE-RELATED OR COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE

PROPERTY, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Health Care Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Foriest, Forrester, McKissick and Queen:

**S.B. 1670**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE ADOLESCENT PREGNANCY PREVENTION COALITION OF NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Snow, Swindell and Weinstein:

**S.B. 1671**, A BILL TO BE ENTITLED AN ACT TO ALLOCATE TANF BLOCK GRANT FUNDS FOR CONNECT, INC.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Boseman, Dannelly, Forrester, McKissick, Queen and Snow:

**S.B. 1672**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HEALTHY START FOUNDATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; Atwater, Berger of Franklin, Dannelly, McKissick, Queen, Snow and Tillman:

**S.B. 1673**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A HYPERTENSION PREVENTION DEMONSTRATION PROJECT, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; Dannelly, McKissick, Queen and Snow:

**S.B. 1674**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT FURTHER OPERATION OF THE STROKE ADVISORY COUNCIL, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Purcell:

**S.B. 1675**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULES GOVERNING GROUP A-2 SPRINKLERS IN CERTAIN BUILDINGS.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

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By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, McKissick, Queen, Snow and Weinstein:

**S.B. 1676**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT HIGH PRIORITY INITIATIVES WITHIN THE NORTH CAROLINA PUBLIC HEALTH IMPROVEMENT PLAN, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, McKissick, Queen and Snow:

**S.B. 1677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SCHOOL-BASED AND SCHOOL-LINKED ADOLESCENT HEALTH CARE CENTERS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; and Dannelly:

**S.B. 1678**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CORPORAL PUNISHMENT POLICIES IN PUBLIC SCHOOLS, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Education/Higher Education Committee**.

By Senators Purcell; Apodaca, Atwater, Berger of Franklin, Boseman, Brown, Cowell, Dalton, Dannelly, Foriest, Graham, Hartsell, Jenkins, Kerr, Malone, McKissick, Preston, Queen, Rand, Snow and Swindell:

**S.B. 1679**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EARLY CHILDHOOD INITIATIVES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; Atwater, Berger of Franklin, Dannelly, McKissick, Queen, Snow and Tillman:

**S.B. 1680**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PUBLIC AWARENESS CAMPAIGNS AND COMMUNICATIONS STRATEGIES ON STROKE SIGNS AND SYMPTOMS, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; and Snow:

**S.B. 1681**, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUTOMOBILES IN THE STATE MOTOR FLEET TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-OWNED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Health Care Committee**.

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By Senators Purcell, Dorsett, Forrester; Atwater, Berger of Franklin, Dannelly, Queen, Snow, Tillman and Weinstein:

**S.B. 1682**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IDENTIFY STROKE REHABILITATION SERVICES THROUGHOUT THE STATE AND TO PUBLICIZE INFORMATION ABOUT STROKE REHABILITATION SERVICES AND PROGRAMS TO HEALTH CARE PROVIDERS AND THE PUBLIC, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, Queen and Weinstein:

**S.B. 1683**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR OPERATIONS AND MAINTENANCE ASSISTANCE TO SMALL RURAL HOSPITALS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Dannelly and Snow:

**S.B. 1684**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE EMERGENCIES, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Judiciary I Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, Forrester, McKissick, Queen, Snow and Weinstein:

**S.B. 1685**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHILD CARE SUBSIDY PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dorsett, Forrester; Dannelly, McKissick and Snow:

**S.B. 1686**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE GROUNDS WITHIN A CERTAIN DISTANCE OF STATE-OWNED OR OPERATED BUILDINGS BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO DESIGNATE GROUNDS WITHIN A CERTAIN DISTANCE OF LOCALLY OWNED OR OPERATED BUILDINGS TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Referred to the **Health Care Committee**.

By Senators Purcell; Atwater, Berger of Franklin, Dannelly, McKissick, Queen, Snow and Weinstein:

**S.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM WITHIN

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THE NORTH CAROLINA INSTITUTE FOR PUBLIC HEALTH, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Health Care Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 4:39 P.M.

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## ONE HUNDRED NINETEENTH DAY

Senate Chamber  
Wednesday, May 21, 2008

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

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

"Dear God, developing an agreeable and agreed upon budget is a top priority of this session's agenda. It's always a challenge. In most churches we call budgeting stewardship, mostly because it softens the language and because pastors don't like to preach about money. Resistance to budget proposals rises from a natural desire to hang on to what we have and from not knowing the adventure of being a trustee. It's true budgeting is about line items and a bottom line. But the reality is that we are also talking about more than just money. Who we are, what we achieve, earn, spend, save, and give are all factors in the equation. If we approach it that way, budget preparation becomes more like an economics of the soul. Amen."

The Chair grants leaves of absence for today to Senator Bingham, Senator Boseman and Senator Dannelly.

Senator Rand announces that the Journal of Tuesday, May 20, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Richard Bruch from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Rebecca Buck from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.*

May 21, 2008

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.J.R. 1578**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN GREENSBORO, NORTH CAROLINA, AT NORTH CAROLINA A&T STATE UNIVERSITY IN HONOR OF GREENSBORO'S BICENTENNIAL ANNIVERSARY. (Res. 3)

**CALENDAR**

Bills and resolutions on today's Calendar are taken up and disposed of, as follows:

**H.B. 274** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is taken up out of its regular order of business and placed before the Senate for immediate consideration.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives for concurrence.

**S.B. 1358** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT."

The Committee Substitute bill No. 2 passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**H.J.R. 249**, A JOINT RESOLUTION HONORING THE LIVES AND ACHIEVEMENTS OF LOUIS ROUND WILSON, SUSAN GREY AKERS, AND FREDERICK G. KILGOUR OF THE SCHOOL OF INFORMATION AND LIBRARY SCIENCE, THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, ON THE 75TH ANNIVERSARY OF ITS FOUNDING.

The joint resolution passes its second (45-0) and third readings and is ordered enrolled.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

May 21, 2008

**H.J.R. 2263,** A JOINT RESOLUTION RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF THE PERSON HIGH SCHOOL GIRLS' VOLLEYBALL TEAM.

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

The joint resolution passes its second (46-0) and third readings and is ordered enrolled.

Upon motion of Senator Kinnaird, the Chair extends the courtesies of the gallery to the Person High School Girls' Volleyball Team Members: Katie Blaylock, Ashley Clayton, Paige Cox, Heather McCarter, Casey Raymer, Rachel Reeves, Anna Hayes, Jordan Rhew, Amanda Robertson, Katie Tatum, Megan Tatum, Tara Whitfield, Sara Wrenn, and Laura Clayton; Head Coach, Sandy Matthews; Assistant Coaches, Jennifer Taylor, Micholene Schumacher, and Lynn Ward; and Person High School Principal, Margaret Bradsher.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2274,** A JOINT RESOLUTION RECOGNIZING THE BICENTENNIAL OF HAYWOOD COUNTY AND HONORING JOHN HAYWOOD, FOR WHOM THE COUNTY IS NAMED.

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

The joint resolution passes its second (44-0) and third readings and is ordered enrolled.

#### **CHANGES TO 2007 SENATE COMMITTEES**

Pursuant to Rule 31, Senator Rand announces the appointment of Senator Atwater as Chairman of the **Agriculture/Environment/Natural Resources Committee.**

Pursuant to Rule 31, Senator Rand announces the appointment of Senator McKissick as Vice Chairman of the **Appropriations Subcommittee on Natural and Economic Resources.**

Pursuant to Rule 31, Senator Rand announces Senator Jones is removed from the **Appropriations Subcommittee on Natural and Economic Resources.**

Pursuant to Rule 31, Senator Rand announces the appointment of Senator Jones to the **Appropriations Subcommittee on Justice and Public Safety.**

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**CALENDAR** *(continued)*

**S.J.R. 1702**, A JOINT RESOLUTION RECOGNIZING THE BICENTENNIAL OF HAYWOOD COUNTY AND HONORING JOHN HAYWOOD, FOR WHOM THE COUNTY IS NAMED.

Upon motion of Senator Rand, the joint resolution is withdrawn from today's Calendar and is re-referred to the **Rules and Operations of the Senate Committee**.

**ADDITIONAL SPONSORS**

Senator Allran requests to be added as a sponsor of previously introduced legislation:

**S.B. 1665**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FUNDS FOR THE DEVELOPMENT OF PROGRAMS TO SERVE ADULTS WITH AUTISM SPECTRUM DISORDER.

Senator Goodall requests to be added as a sponsor of previously introduced legislation:

**S.B. 1358**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA STREET GANG PREVENTION ACT.

Upon motion of Senator Rand, seconded by Senator Soles, the Senate adjourns subject to introduction of bills, to meet Thursday, May 22, at 11:00 A.M. in Harrison Auditorium at North Carolina A&T State University in Greensboro.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:

**S.B. 1688**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH.

Referred to the **State & Local Government Committee**.

By Senator Soles:

**S.B. 1689**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COMMERCIAL FISHING NEAR ARTIFICIAL REEFS WITHIN THREE NAUTICAL MILES OF THE SHORELINE OF BRUNSWICK COUNTY.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

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By Senator Soles:

**S.B. 1690**, A BILL TO BE ENTITLED AN ACT TO FUND ONE NEW TROOPER POSITION IN BRUNSWICK COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jones:

**S.B. 1691**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE SIGNERS MEMORIAL ON THE GROUNDS OF THE CHOWAN COUNTY COURTHOUSE HONORING HUGH WILLIAMSON.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Boseman:

**S.B. 1692**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF INSTANT RUNOFF VOTING IN WILMINGTON CITY ELECTIONS.

Referred to the **State & Local Government Committee**.

By Senator Boseman:

**S.B. 1693**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPLACE THE RESEARCH VESSEL DAN MOORE USED BY CAPE FEAR COMMUNITY COLLEGE FOR MARINE TECHNOLOGY PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Boseman:

**S.B. 1694**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.

Referred to the **Transportation Committee**.

By Senators Jenkins, Tillman and Preston:

**S.B. 1695**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO PROVIDE DIRECTION FOR THE OPERATION OF SEMITRAILERS OF NOT MORE THAN FIFTY-THREE FEET ON PRIMARY ROADS IN THIS STATE; TO INCREASE THE ALLOWABLE AXLE AND TOTAL WEIGHT OF SELF-PROPELLED, SELF-LOADING BEDS FOR COTTON TRANSPORT FROM FARM TO GIN, REGARDLESS OF AXLE WEIGHT; TO REMOVE THE WIDTH RESTRICTION ON FARM EQUIPMENT THAT IS SELF-PROPELLED, HAULED, OR PULLED ON A PUBLIC HIGHWAY, AND TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A

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PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1696**, A BILL TO BE ENTITLED AN ACT TO EXEMPT INTERSTATE MAINTENANCE FUNDS FROM THE DISTRIBUTION FORMULA FOR INTRASTATE SYSTEM AND TRANSPORTATION IMPROVEMENT PROGRAM AND OTHER CHANGES AS RECOMMENDED BY THE 21ST CENTURY TRANSPORTATION COMMISSION'S PRIORITIZATION COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1697**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS AT TOLL FACILITIES OPERATED BY THE NORTH CAROLINA TURNPIKE AUTHORITY AND TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1698**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senators Jenkins; and Jones:

**S.B. 1699**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Atwater:

**S.B. 1700**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A PIEDMONT WILDLIFE CENTER SPECIAL LICENSE PLATE.

Referred to the **Finance Committee**.

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By Senator Atwater:

**S.B. 1701**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A BOATING ENTHUSIAST SPECIAL LICENSE PLATE.

Referred to the **Finance Committee**.

By Senators Hartsell, Brunstetter, Clodfelter, Dalton, Hoyle, Kerr; and Jones:

**S.B. 1703**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY PURCHASED WITH A CLIENT ASSISTANCE DEBIT CARD ISSUED FOR DISASTER ASSISTANCE RELIEF BY A STATE AGENCY OR A FEDERAL AGENCY OR INSTRUMENTALITY.

Referred to the **Finance Committee**.

By Senators Hartsell, Kerr, Brunstetter, Clodfelter, Dalton, Hoyle; and Jones:

**S.B. 1704**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

Referred to the **Finance Committee**.

By Senators Blake; Brock, East, Forrester, Hunt, Pittenger, Shaw and Tillman:

**S.B. 1705**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA EDUCATION LOTTERY TO THE NORTH CAROLINA STATE LOTTERY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Foriest:

**S.B. 1706**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY.

Referred to the **State & Local Government Committee**.

By Senator Foriest:

**S.B. 1707**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT A TRIBAL CENTER FOR THE OCCANEECHI BAND OF THE SAPONI NATION IN ALAMANCE COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1708**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE.

Referred to the **Finance Committee**.

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By Senator Rand:

**S.B. 1709**, A BILL TO BE ENTITLED AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS CUSTOM BUILT VEHICLES, REPLICA VEHICLES, AND STREET RODS, TO REQUIRE AN ADDITIONAL THIRTY DOLLAR REGISTRATION FEE TO SUPPORT THE DIVISION OF MOTOR VEHICLES BUREAU OF LICENSE AND THEFT MOTOR VEHICLE EXAMINATION PROGRAM, AND TO MAKE CORRESPONDING CHANGES.

Referred to the **Finance Committee**.

By Senators Rand; Atwater and Jones:

**S.B. 1710**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MAINTENANCE AND OPERATIONS OF THE NORTH CAROLINA NATIONAL GUARD STATE-OWNED FACILITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Atwater, Dannelly, Graham and Jones:

**S.B. 1711**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPLACE EQUIPMENT IN COMMUNITY COLLEGE TECHNICAL EDUCATION PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Dannelly and Graham:

**S.B. 1712**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO BE ALLOCATED TO THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE TO CONSTRUCT THE ENERGY PRODUCTION AND INFRASTRUCTURE CENTER (EPIC).

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Dannelly and Graham:

**S.B. 1713**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO JOHNSON AND WALES UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 1714**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY IMPROVEMENTS IN CONSUMER CREDIT REPORTING PRACTICES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Clodfelter, Kerr, Dalton, Hartsell, Hoyle; and Jones:

**S.B. 1715**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR TAXPAYERS TO JOIN A CLASS ACTION SEEKING A REFUND OF TAX PAID DUE TO AN UNCONSTITUTIONAL STATUTE.

Referred to the **Judiciary I Committee**.

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By Senators Clodfelter, Dalton, Hartsell, Hoyle and Kerr:

**S.B. 1716**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING, AS REQUESTED BY THE LEAGUE OF MUNICIPALITIES AND THE SOUTHEAST ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Dannelly and Graham:

**S.B. 1717**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THREE PILOT SELF-SERVE CENTERS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Atwater, Dannelly, Graham and Jones:

**S.B. 1718**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TECHNICAL EDUCATION PROGRAMS IN THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Atwater, Dannelly, Graham, Jones and Preston:

**S.B. 1719**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE ALLIED HEALTH PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; Atwater, Dannelly, Graham, Jones and Preston:

**S.B. 1720**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE COUNSELING SERVICES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hagan; and Dorsett:

**S.B. 1721**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE OPERATING FUNDS FOR THE JOINT SCHOOL OF NANOSCIENCE AND NANOENGINEERING AT THE CAMPUS OF THE GATEWAY UNIVERSITY RESEARCH PARK OF NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 1722**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BEULAVILLE TO REGULATE GOLF CARTS ON PUBLIC STREETS OR HIGHWAYS WITHIN THE TOWN OR ON PROPERTY OWNED OR LEASED BY THE TOWN.

Referred to the **State & Local Government Committee**.

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By Senators Albertson; Jenkins, Preston and Soles:

**S.B. 1723**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE STATE PORTS TAX CREDIT.

Referred to the **Finance Committee**.

By Senators Albertson; Atwater and Soles:

**S.B. 1724**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PURCHASE AN EMERGENCY GENERATOR FOR CONSTABLE LABORATORY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson; Atwater, Boseman, Goss, Hoyle, Jenkins, Kerr, Malone, McKissick, Preston, Purcell and Soles:

**S.B. 1725**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION TO ENHANCE AGRICULTURAL EDUCATION IN THE CLASSROOM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson; Atwater, Berger of Franklin, Boseman, Cowell, Dorsett, Goss, Graham, Hoyle, Jenkins, Kerr, McKissick, Purcell and Soles:

**S.B. 1726**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR RESEARCH AND DEVELOPMENT INITIATIVES AT THE CENTER FOR BIOENERGY TECHNOLOGIES AT NORTH CAROLINA STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dannelly; Atwater, Cowell, Dorsett, Foriest, Graham, Hartsell, Jenkins, Jones, McKissick, Queen and Shaw:

**S.B. 1727**, A BILL TO BE ENTITLED AN ACT TO EXPEDITE PAYMENT OF SUBCONTRACTORS ON DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senators Dannelly, McKissick, Malone; Atwater, Berger of Franklin, Dorsett, Foriest, Hagan, Hartsell, Jones and Shaw:

**S.B. 1728**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MINORITY SUPPORT CENTER, INC., TO EXPAND ECONOMIC DEVELOPMENT LENDING AND FINANCIAL LITERACY.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Dannelly, Jenkins; Atwater, Dorsett, Foriest, Graham, Hartsell, Jones, Malone, McKissick and Shaw:

**S.B. 1729**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA COMMUNITY DEVELOPMENT INITIATIVE AND THE RURAL ECONOMIC DEVELOPMENT CENTER, INC., FOR COMMUNITY-BASED HOUSING AND DEVELOPMENT ACTIVITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dannelly; Atwater, Dorsett, Foriest, Graham, Hartsell, Jenkins, Jones, Malone, McKissick and Shaw:

**S.B. 1730**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO PROMOTE AND MARKET THE STATE OF NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Boseman; Brown and Preston:

**S.B. 1731**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE TAX CREDIT FOR THE NORTH CAROLINA STATE PORTS AUTHORITY.

Referred to the **Finance Committee**.

By Senators Purcell; Allran, Atwater, Dannelly, Dorsett, Jones, Malone and Snow:

**S.B. 1732**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUDDEN INFANT DEATH SYNDROME (SIDS) RISK REDUCTION EFFORTS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Allran, Atwater, Dannelly, Dorsett, Jones, Malone and Snow:

**S.B. 1733**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Health Care Committee**.

By Senators Purcell; Atwater, Dannelly, Dorsett, Jones, Malone and Snow:

**S.B. 1734**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTIONS THAT MAKE ALLOWANCES FOR SMALL COUNTIES AND ADULTS RIDING WITH CHILDREN, AND

INCREASE THE PENALTIES TO BE IN LINE WITH OTHER CHILD SAFETY VIOLATIONS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary I Committee**.

By Senators Purcell; Allran, Atwater, Dannelly, Dorsett, Jones and Malone:

**S.B. 1735**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE PRETERM BIRTHS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Allran, Atwater, Dannelly, Dorsett, Jones, Malone and Weinstein:

**S.B. 1736**, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CHILD PASSENGER SAFETY TECHNICIANS WHEN ACTING IN GOOD FAITH AND WITHIN THE SCOPE OF THEIR TRAINING AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary I Committee**.

By Senators Purcell; Allran, Atwater, Dannelly, Dorsett, Jones, Malone, Snow and Weinstein:

**S.B. 1737**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE THE HEALTH OF WOMEN AND INFANTS IN NORTH CAROLINA, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell, Dalton; Atwater, Berger of Franklin, Brown, Forrester, McKissick, Queen, Snow and Tillman:

**S.B. 1738**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE T.E.A.C.H. EARLY CHILDHOOD PROJECT.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Kerr and Jenkins:

**S.B. 1739**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY AND PLAN EAST CAROLINA UNIVERSITY'S PARTICIPATION IN A PARTNERSHIP WITH THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO EXPAND MEDICAL EDUCATION IN NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Kerr and Jenkins:

**S.B. 1740**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

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NORTH CAROLINA TO CONSTRUCT A NEW FACILITY FOR THE FAMILY MEDICINE CENTER AND GERIATRICS CENTER AT EAST CAROLINA UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Kerr:

**S.B. 1741**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERCENTAGE WITHHELD FOR ADMINISTRATIVE COSTS FROM THE FEES COLLECTED PURSUANT TO G.S. 20-183.7 FOR ADMINISTRATION OF THE RESCUE SQUAD WORKERS' RELIEF FUND.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Kerr and Jenkins:

**S.B. 1742**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE EAST CAROLINA UNIVERSITY HEALTH SCIENCES DIVISION AND THE AUDITORY LEARNING CENTER TO USE TO TRAIN PROFESSIONALS WHO WORK WITH PRESCHOOL AND SCHOOL-AGE CHILDREN WHO HAVE COCHLEAR IMPLANTS AND TO PROVIDE ORAL CLASSES TO THOSE CHILDREN.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Kerr:

**S.B. 1743**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FUNDS FOR RESEARCH AND DEVELOPMENT PROJECTS TO THE WINE AND GRAPE INDUSTRY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Kerr and Jenkins:

**S.B. 1744**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE CHILDREN'S HOSPITAL TOWER AT PITT COUNTY MEMORIAL HOSPITAL.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hoyle; Forrester, Hartsell, Jenkins and Tillman:

**S.B. 1745**, A BILL TO BE ENTITLED AN ACT TO TREAT A PERSON WHO REPAIRS AND REFURBISHES INDUSTRIAL MACHINERY THE SAME AS A MANUFACTURER OF THE MACHINERY FOR SALES TAX PURPOSES.

Referred to the **Finance Committee**.

By Senators Hoyle; and Forrester:

**S.B. 1746**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A DANIEL STOWE BOTANICAL GARDEN SPECIAL REGISTRATION PLATE FOR THE DANIEL STOWE BOTANICAL GARDEN FOUNDATION, INC.

Referred to the **Finance Committee**.

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By Senators Hoyle, Kerr, Brunstetter, Dalton, Hartsell; and Stevens:

**S.B. 1747**, A BILL TO BE ENTITLED AN ACT TO PLACE A SUNSET ON THE CREDIT FOR INVESTING IN A LARGE OR MAJOR RECYCLING FACILITY AND TO EXTEND THE CREDIT FOR REINVESTMENT.

Referred to the **Finance Committee**.

By Senator Kinnaird:

**S.B. 1748**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES.

Referred to the **Finance Committee**.

By Senator Kinnaird:

**S.B. 1749**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY.

Referred to the **State & Local Government Committee**.

By Senators Malone, Dorsett, Bingham, Forrester; Allran, Apodaca, Berger of Franklin, Brunstetter, Dannelly, Goss, Graham, Hartsell, Jenkins, Jones, McKissick, Nesbitt, Purcell, Soles and Weinstein:

**S.B. 1750**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

Referred to the **Finance Committee**.

By Senators Malone, Swindell, Dorsett, Forrester; Allran, Apodaca, Atwater, Cowell, Goss, Graham, Hartsell, Jenkins, Jones, Nesbitt, Purcell, Snow, Soles and Weinstein:

**S.B. 1751**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENACT A PILOT PROGRAM TO ASSESS CHANGES PROPOSED BY THE ADULT PROTECTIVE SERVICES TASK FORCE WITH A GOAL OF IMPROVING NORTH CAROLINA'S SYSTEM OF RESPONDING TO ALLEGATIONS OF ABUSE, NEGLECT, EXPLOITATION, OR SUBSTANTIAL RISK OF VULNERABLE OR ELDER ADULTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Dorsett, Queen, Boseman, Jenkins; Allran, Apodaca, Atwater, Brunstetter, Cowell, Goss, Graham, Hartsell, Jones, Nesbitt, Preston, Purcell, Snow, Soles and Weinstein:

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**S.B. 1752**, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE COMMITTEE ON DROPOUT PREVENTION TO AWARD ADDITIONAL DROPOUT PREVENTION GRANTS, TO APPROPRIATE FUNDS FOR THE GRANTS, AND TO APPROPRIATE FUNDS FOR A CONSULTANT TO STAFF THE COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Dorsett, Bingham, Forrester; Allran, Apodaca, Atwater, Berger of Franklin, Dannelly, Goss, Graham, Hartsell, Jenkins, Jones, McKissick, Nesbitt, Purcell, Soles and Weinstein:

**S.B. 1753**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Judiciary I Committee**.

By Senators Hoyle; Apodaca, Brunstetter, Forrester, Hartsell, Jenkins, Jones, Stevens, Tillman and Weinstein:

**S.B. 1754**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INFRASTRUCTURE TRUST FUND TO BE USED FOR CAPITAL IMPROVEMENTS AS DIRECTED BY THE GENERAL ASSEMBLY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hoyle, Kerr, Brunstetter, Clodfelter, Dalton and Hartsell:

**S.B. 1755**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDIT FOR RESEARCH AND DEVELOPMENT.

Referred to the **Finance Committee**.

By Senators Hoyle, Brunstetter, Clodfelter, Dalton, Hartsell, Kerr; and Stevens:

**S.B. 1756**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE.

Referred to the **Finance Committee**.

By Senators Swindell, Malone, Queen, Dorsett, Atwater, Goss, Stevens, Tillman; Allran, Apodaca, Berger of Rockingham, Brown, Garrou, Goodall, Hartsell, Hoyle, Jacumin, Jenkins, Jones, McKissick, Pittenger, Preston, Purcell, Rand, Shaw, Snow, Soles and Weinstein:

**S.B. 1757**, A BILL TO BE ENTITLED AN ACT CREATING THE LEGISLATIVE SPECIAL COMMISSION ON THE EFFICIENCY AND EFFECTIVENESS OF THE DEPARTMENT OF PUBLIC INSTRUCTION

AND THE STATE BOARD OF EDUCATION AND APPROPRIATING FUNDS FOR THAT PURPOSE AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Swindell, Malone, Queen, Dorsett, Atwater, Goss, Stevens, Tillman; Brown, Jenkins, Jones, McKissick, Preston, Snow and Weinstein:

**S.B. 1758**, A BILL TO BE ENTITLED AN ACT TO STUDY THE PARTICIPATION AND DROPOUT RATES OF STUDENTS WITH DISABILITIES IN LEARN AND EARN EARLY COLLEGE HIGH SCHOOLS, REDESIGNED HIGH SCHOOLS, THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL, AND NORTH CAROLINA PUBLIC HIGH SCHOOLS THAT HAVE BLOCK SCHEDULING, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Swindell; Jenkins and Jones:

**S.B. 1759**, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE TERM "PART-TIME STUDENT" FOR PURPOSES OF THE LEGISLATIVE TUITION GRANT.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Dannelly, Hartsell; Atwater, Jenkins, Jones, Preston, Purcell and Snow:

**S.B. 1760**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR SCHOOL TRANSPORTATION AND TO STUDY THE ALLOTMENT FORMULA FOR SCHOOL TRANSPORTATION FUNDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Malone, Queen, Atwater, Goss, Stevens, Tillman; Brown, Foriest, Jenkins, McKissick, Preston, Snow, Soles and Weinstein:

**S.B. 1761**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senators Swindell, Malone, Queen, Atwater, Goss, Tillman; Brown, Jenkins, Jones, McKissick, Preston, Snow and Weinstein:

**S.B. 1762**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENSURE THE EFFICIENT, GREEN OPERATION OF SCHOOL

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FACILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Malone, Queen, Atwater, Goss, Stevens, Tillman; Brown, Dorsett, Jenkins, Jones, Preston, Snow, Soles and Weinstein:

**S.B. 1763**, A BILL TO BE ENTITLED AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

By Senators Swindell, Malone, Queen, Atwater, Dorsett, Goss, Stevens, Tillman; Brown, Hartsell, Jenkins, Jones, Preston, Snow and Weinstein:

**S.B. 1764**, A BILL TO BE ENTITLED AN ACT TO HIRE A CONSULTANT TO STUDY THE ROLE THAT REGIONAL EDUCATION SERVICE CENTERS THAT ARE CREATED WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION COULD PLAY IN THE DELIVERY OF PROFESSIONAL DEVELOPMENT THROUGHOUT THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand and Snow:

**S.B. 1765**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE VETERINARY DIVISION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO COMPLETE RENOVATION OF ROLLINS LABORATORY AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rand, Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston and Snow:

**S.B. 1766**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Judiciary I Committee**.

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By Senators Snow; Atwater, Goss, Jones, Nesbitt and Queen:

**S.B. 1767**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR EXPANSION OF THE ADULT DEVELOPMENTAL DISABILITY DAY SERVICE PILOT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow; Atwater, Berger of Franklin, Dalton, Dorsett, Foriest, Goss, Graham, Hagan, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Rand and Swindell:

**S.B. 1768**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA 4-H CAMPS AND CONFERENCE CENTERS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow; Albertson, Atwater, Berger of Franklin, Boseman, Clodfelter, Cowell, Dalton, Dorsett, Foriest, Garrou, Goss, Graham, Hagan, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Rand and Swindell:

**S.B. 1769**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALES AND USE TAX HOLIDAY FOR CERTAIN ENERGY EFFICIENT PRODUCTS.

Referred to the **Finance Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Jones, Brown, Dorsett, Hartsell, Jenkins, Preston, Rand, Kerr, Snow, Goss; and Queen:

**S.B. 1770**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE DEATHS THAT OCCUR AT FACILITIES OPERATED BY OR ON BEHALF OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand and Snow:

**S.B. 1771**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO ESTABLISH AND SUPPORT ADDITIONAL FOOD SAFETY POSITIONS IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; and McKissick:

**S.B. 1772**, A BILL TO BE ENTITLED AN ACT DIRECTING THE GENERAL STATUTES COMMISSION TO STUDY THE UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE SUBCOMMITTEE ON PUBLIC HEALTH AND BIOTERRORISM OF THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; and McKissick:

**S.B. 1773**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DIVISION OF PUBLIC HEALTH TO RENT SPACE TO STORE VITAL RECORDS AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; Goss, McKissick and Queen:

**S.B. 1774**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE OFFICE OF THE CHIEF MEDICAL EXAMINER TO ADDRESS THE BACKLOG OF AUTOPSIES AS RECOMMENDED BY THE JOINT SELECT COMMITTEE IN EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Boseman, Malone, Snow, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand; McKissick and Queen:

**S.B. 1775**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; and Queen:

**S.B. 1776**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE

CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Judiciary I Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; and McKissick:

**S.B. 1777**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPAND INFLUENZA VACCINES FOR CHILDREN, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand, Snow; and McKissick:

**S.B. 1778**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE FOOD AND DRUG PROTECTION DIVISION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR THE PURCHASE OF AN EMERGENCY GENERATOR, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Boseman, Malone, Snow, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand; McKissick and Queen:

**S.B. 1779**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR THE CREATION OF ADDITIONAL FAMILY ASSISTANCE CENTERS TO BENEFIT MILITARY PERSONNEL AND THEIR FAMILIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Boseman, Malone, Snow, Apodaca, Atwater, Brown, Dorsett, Goss, Hartsell, Jenkins, Jones, Kerr, Preston, Rand; McKissick and Queen:

**S.B. 1780**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE STUDY COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Nesbitt, Apodaca; Atwater, Jones, McKissick, Queen and Snow:

**S.B. 1781**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS

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TO CONSTRUCT AND EQUIP AN EXPANDED GENETICS AND CLINICAL RESEARCH FACILITY AT MISSION HOSPITALS IN ASHEVILLE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt, Apodaca; Atwater, Queen and Snow:

**S.B. 1782**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE INTERNATIONAL INSTITUTE FOR NATURAL BIOTECHNOLOGY AND INTEGRATIVE MEDICINE AT THE NORTH CAROLINA ARBORETUM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt and Apodaca:

**S.B. 1783**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE TO USE TO REPLACE CARMICHAEL HALL AND THE ATTACHED LECTURE HALL WITH A NEW BUILDING.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1784**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1785**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE EMPLOYEES HEALTH PLAN TO USE FUNDS TO ASSIST WITH OPERATING COSTS OF WELLNESS PILOT PROGRAMS.

Referred to the **Select Committee on Employee Hospital and Medical Benefits** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1786**, A BILL TO BE ENTITLED AN ACT TO PREVENT THE STATE OF NORTH CAROLINA FROM PARTICIPATING IN OR COMPLYING WITH THE REAL ID ACT OF 2005.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1787**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

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By Senator Jones:

**S.B. 1788**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE PROTECTION OF THE PUBLIC AGAINST THE HEALTH AND SAFETY RISKS POSED BY INHERENTLY DANGEROUS WILD ANIMALS, TO PROTECT THE WELFARE OF INHERENTLY DANGEROUS WILD ANIMALS, AND TO AUTHORIZE A FEE FOR REGISTERING INHERENTLY DANGEROUS WILD ANIMALS.

Referred to the **Judiciary I Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1789**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INFORMAL BID LIMITS FOR DEPARTMENT OF TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS PER YEAR LIMITS FOR MULTIYEAR CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1790**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senator Jenkins:

**S.B. 1791**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR ALL TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senators Dalton; Atwater and Jones:

**S.B. 1792**, A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES AND USE TAX EXEMPTION FOR LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REENACT THE SALES AND USE TAX REFUND FOR LOCAL SCHOOL ADMINISTRATIVE UNITS, SO AS TO OPTIMIZE SCHOOL CONSTRUCTION FUNDING.

Referred to the **Finance Committee**.

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By Senators Dalton, Dorsett; Atwater and Jones:

**S.B. 1793**, A BILL TO BE ENTITLED AN ACT TO CONTINUE AND EXPAND THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOME PROTECTION PROGRAM TO EVERY COUNTY IN NORTH CAROLINA.

Referred to the **Judiciary II Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton, Berger of Franklin; Allran, Atwater, Goss, Jones and Preston:

**S.B. 1794**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO PROVIDE A STATE/FEDERAL MATCH FOR ADDITIONAL CAP/MR-DD SLOTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton; and Jones:

**S.B. 1795**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS.

Referred to the **Finance Committee**.

By Senators Dalton; Allran and Jones:

**S.B. 1796**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADOPT A POLICY ALLOWING A CERTAIN INCOME DISREGARD UNDER THE MEDICAID PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1797**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senators Jenkins; and Jones:

**S.B. 1798**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMISSION CONTRACT AGENTS TO ACCEPT PAYMENT BY CREDIT CARD, CHARGE CARD, OR DEBIT CARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

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By Senators Jenkins; and Jones:

**S.B. 1799**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senators Jenkins; and Jones:

**S.B. 1800**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senators Malone, Atwater; Allran, Dalton, Dannelly, Foriest, Forrester, Hartsell, Jones, McKissick, Purcell, Queen, Snow, Soles and Stevens:

**S.B. 1801**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE FUNDING RECOMMENDATION OF THE OFFICE OF STATE BUDGET AND MANAGEMENT CONCERNING IMPROVEMENT OF THE STATE'S GEOGRAPHICAL INFORMATION SYSTEM AND TO APPROPRIATE FUNDS TO THE GEOGRAPHICAL INFORMATION COORDINATING COUNCIL FOR THAT PURPOSE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Atwater; Allran, Dalton, Dannelly, Foriest, Forrester, Hagan, Hartsell, Jones, McKissick, Purcell, Queen, Snow, Soles and Stevens:

**S.B. 1802**, A BILL TO BE ENTITLED AN ACT CREATING THE LEGISLATIVE STUDY COMMISSION ON ELECTRONIC HEALTH INFORMATION MANAGEMENT.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Malone, Swindell, Dorsett, Forrester; Allran, Apodaca, Atwater, Berger of Franklin, Brunstetter, Cowell, Goss, Graham, Hartsell, Jenkins, Jones, Nesbitt, Purcell, Snow, Soles and Weinstein:

**S.B. 1803**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE FIVE-YEAR STATEWIDE STUDY OF THE STATE'S READINESS TO RESPOND TO THE COMING WAVE OF OLDER ADULTS BY ESTABLISHING A STEERING COMMITTEE FOR THE STUDY, APPROPRIATING FUNDS TO PROVIDE STAFF TO SUPPORT THE COMMITTEE, AND APPROPRIATING FUNDS FOR THE FIRST YEAR OF THE STUDY, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Rules and Operations of the Senate Committee**.

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By Senators Malone, Swindell, Dorsett, Forrester; Allran, Apodaca, Atwater, Berger of Franklin, Hartsell, Jenkins, Jones, Nesbitt, Purcell, Snow, Soles and Weinstein:

**S.B. 1804**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Finance Committee**.

By Senators Malone, Dorsett, Forrester; Berger of Franklin, Dannelly, Jones, McKissick, Purcell and Stevens:

**S.B. 1805**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

Referred to the **Judiciary I Committee**.

By Senators Malone, Tillman, Queen, Dorsett, Jenkins, Boseman; Atwater, Forrest, Forrester, Jones, McKissick, Preston and Stevens:

**S.B. 1806**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Malone, Dorsett, Forrester; Atwater, Berger of Franklin, Dannelly, Goss, McKissick, Purcell and Stevens:

**S.B. 1807**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO RESPITE CARE AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Malone, Dorsett, Forrester; Allran, Atwater, Dannelly, Goss, Jones, McKissick, Purcell and Stevens:

**S.B. 1808**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LONG-TERM CARE INSURANCE TAX CREDIT AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Finance Committee**.

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By Senators Malone, Swindell, Dorsett, Forrester; Atwater, Foriest, Jenkins, Jones, McKissick, Purcell and Queen:

**S.B. 1809**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADULT CARE HOME SCREENING PROCESS FOR MENTAL HEALTH AND DEVELOPMENTAL DISABILITY CONDITIONS, APPROPRIATE FUNDS FOR TRANSITIONAL RESIDENTIAL TREATMENT PROGRAM PILOT SITES, APPROPRIATE FUNDS TO SUPPORT ASSESSMENT AND SERVICE PLAN DEVELOPMENT IN ADULT CARE HOMES, AND TO STUDY SUITABLE METHODS TO PROVIDE DIRECT CARE WORKERS WITH TARGETED AND COST-EFFECTIVE TRAINING ON THE CARE OF INDIVIDUALS WITH MENTAL ILLNESS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Purcell; Atwater, Foriest, Forrester, Goss, Jenkins, Jones and McKissick:

**S.B. 1810**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A PILOT PROGRAM TO ENHANCE RECRUITMENT OF MINORITY STUDENTS INTO PHARMACY SCHOOLS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Dorsett, Forrester; Atwater, Berger of Franklin, Dannelly, Goss, McKissick and Purcell:

**S.B. 1811**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Jenkins, Queen, Boseman, Tillman; Atwater, Forrester, Goss, Jones and McKissick:

**S.B. 1812**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE IMPACTS OF RAISING THE COMPULSORY ATTENDANCE AGE FOR PUBLIC SCHOOL ATTENDANCE FROM SIXTEEN TO SEVENTEEN OR EIGHTEEN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

Referred to the **Rules and Operations of the Senate Committee**.

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By Senators Boseman; and Preston:

**S.B. 1813**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ADDRESS THE NEEDS OF OYSTER RESTORATION AND MARICULTURE IN NORTH CAROLINA THROUGH A COORDINATED SHELLFISH HATCHERY PROGRAM INVOLVING RESEARCHERS, INDUSTRY, AND STATE AGENCIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Boseman:

**S.B. 1814**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE HISTORIC THALIAN HALL.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Boseman; and Preston:

**S.B. 1815**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SALES TAX ON DIESEL FUEL SOLD BY COASTAL MARINAS FOR USE BY BOATS.

Referred to the **Finance Committee**.

By Senators Boseman; and Atwater:

**S.B. 1816**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary I Committee**.

By Senator Forrester:

**S.B. 1817**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SUMMER MOTOR FUELS TAX HOLIDAY.

Referred to the **Finance Committee**.

By Senators Jenkins and Kerr:

**S.B. 1818**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO UPGRADE THE CONTENTNEA METROPOLITAN SEWERAGE DISTRICT WASTEWATER TREATMENT PLANT.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Jenkins and Kerr:

**S.B. 1819**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE AYDEN COMMUNITY CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Jenkins and Kerr:

**S.B. 1820**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

NORTH CAROLINA TO PARTIALLY COMPENSATE BRODY SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY FOR MEDICAL CARE PROVIDED TO INDIGENT PATIENTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Jenkins and Kerr:

**S.B. 1821**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ASSIST EAST CAROLINA UNIVERSITY WITH THE COST OF HIRING PROFESSIONALS TO ESTABLISH THE SCHOOL OF DENTISTRY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Jenkins and Kerr:

**S.B. 1822**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ASSIST WITH THE CONSTRUCTION COSTS OF A FACILITY TO HOUSE THE DENTAL SCHOOL AND ITS CLINICAL OPERATIONS AT EAST CAROLINA UNIVERSITY AND THE CONSTRUCTION COSTS OF COMMUNITY-BASED DENTAL CLINICS TO BE LOCATED THROUGHOUT THE STATE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Garrou; and Brunstetter:

**S.B. 1823**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A RETIRED PIEDMONT AIRLINES EMPLOYEE SPECIAL REGISTRATION PLATE.

Referred to the **Finance Committee**.

By Senators Garrou; Atwater, Brunstetter, Jones and Purcell:

**S.B. 1824**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR EARLY INTERVENTION PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Garrou:

**S.B. 1825**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY.

Referred to the **Education/Higher Education Committee**.

By Senator Garrou:

**S.B. 1826**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESTRICTION ON THE USE OF FUNDS IN THE REPAIRS AND

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RENOVATIONS RESERVE ACCOUNT AS IT APPLIES TO OUTDOOR THEATERS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Garrou:

**S.B. 1827**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE CALCULATORS TO STUDENTS TAKING ALGEBRA II.

Referred to the **Appropriations/Base Budget Committee**.

Pursuant to Senator Rand's motion to adjourn having prevailed, the Senate adjourns at 4:00 P.M.

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### ONE HUNDRED TWENTIETH DAY

Harrison Auditorium  
North Carolina A&T State University  
Greensboro, North Carolina  
Thursday, May 22, 2008

Pursuant to S.J.R. 1578, a joint resolution providing that the 2007 General Assembly shall meet in the City of Greensboro commemorating the City of Greensboro's Bicentennial Anniversary, the Senate convenes in Harrison Auditorium at North Carolina A&T State University.

The Honorable Marc Basnight, President *Pro Tempore*, who presides in the absence of the Lieutenant Governor, calls the Senate to order.

Prayer is offered by The Reverend Gregory Headen, Genesis Baptist Church, Greensboro, North Carolina as follows:

"Father in Heaven, we honor and hallow your name today. We thank you in your wise providence for bringing this Session of the North Carolina General Assembly in celebration of Greensboro's 200th Anniversary together in such a meaningful and powerful way. We recognize you as our creator and sustainer. We thank you for the air we are breathing right now, for the life that is within us and for all gifts of your creation that we enjoy and take for granted many times. We pray for grace and sustenance sufficient for this day. Forgive us for words and deeds that have dishonored you and made us less than you intended us to be. Bless us indeed and enlarge our territory. Keep us from evil that we do not cause pain in peoples' lives. Bless this August Body, the North Carolina Senate. Give

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the Members of this most powerful legislative body in this State wisdom, discernment, compassion and Godly conviction. Pray that their action taken and their decisions made here today will move this State closer to being a place where liberty prevails for all and where every citizen is safe and has hope. Use these Senators as instruments for positive change. Allow their debate and opinions to result in collective growth and deeper understanding. Give them respect for each other and a team spirit to work together to solve problems for the people of this State. Thank you for the awareness of your presence and for assuring us that we are not alone in this world. We need your power, we need your love, we need your guidance. Hallowed be your name. Amen and Amen."

The Chair grants leaves of absence for today to Senator Albertson, Senator Apodaca, Senator Berger of Franklin, Senator Bingham, Senator Boseman, Senator Brown, Senator Forrester, Senator Hunt, Senator Jacumin, Senator Kerr, Senator Kinnaird, Senator Pittenger, Senator Preston, Senator Shaw, Senator Snow and Senator Tillman.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, May 21, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. George Kilpatrick, Jr. from Greensboro, North Carolina, who is serving the Senate as Doctor of the Day, and to Pandora Goode from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.*

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2478**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF GREENSBORO AS THE CITY OBSERVES ITS BICENTENNIAL.

Without objection, the rules are suspended and the joint resolution is placed on today's Calendar for immediate consideration.

The joint resolution passes its second and third readings and is ordered enrolled.

Upon motion of Senator Dannelly, seconded by Senator Foriest, the Senate adjourns subject to the presentation of a plaque to the City of Greensboro and introduction of bills, to meet Friday, May 23, in the Senate Chamber in Raleigh at 9:00 A.M.

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**PRESENTATION TO THE CITY OF GREENSBORO**

The President *Pro Tempore* of the Senate, The Honorable Marc Basnight, and the Speaker of the House of Representatives, The Honorable Joe Hackney, present to The Honorable Yvonne Johnson, Mayor of the City of Greensboro, a plaque commemorating the City of Greensboro's Bicentennial Anniversary.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Goodall:

**S.B. 1828**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES.

Referred to the **State & Local Government Committee**.

By Senators Goodall; Dannelly, Graham and Pittenger:

**S.J.R. 1829**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE COUNTY SERVICE DISTRICT ACT OF 1973 TO ALLOW REFUNDS AND RELEASES WHEN PART OF A LAW ENFORCEMENT SERVICE DISTRICT IS ANNEXED BY A MUNICIPALITY DURING A FISCAL YEAR.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Goodall; Brown, Forrester, Hunt and Pittenger:

**S.B. 1830**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ONE-FOURTH CENT LOCAL LAND TRANSFER TAX.

Referred to the **Finance Committee**.

By Senators Malone, Dorsett, Bingham, Forrester; Allran, Apodaca, Berger of Franklin, Brunstetter, Cowell, Dannelly, Goss, Graham, Hartsell, Jenkins, Jones, McKissick, Nesbitt, Purcell, Soles and Weinstein:

**S.B. 1831**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECT C.A.R.E. (CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY) WHICH PROVIDES CONSUMER-DIRECTED RESPITE CARE AND COMPREHENSIVE SUPPORT TO DEMENTIA CAREGIVERS WITH A GOAL OF INCREASING RESPITE AND SUPPORT SERVICES TO LOW-INCOME RURAL AND MINORITY CAREGIVERS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Jenkins:

**S.B. 1832**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY.

Referred to the **State & Local Government Committee**.

By Senator Soles:

**S.B. 1833**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BURGAW TO LEVY A PREPARED FOOD AND BEVERAGES TAX.

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 1834**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A JUDICIAL ASSISTANT FOR DISTRICT COURT DISTRICT 13.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1835**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE PAYMENT OF DEBT OWED ON A SHELL BUILDING IN COLUMBUS COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1836**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR BEAVER CONTROL AT TABOR CORRECTIONAL INSTITUTION.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1837**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BRUNSWICK COUNTY ARTS COUNCIL FOR ITS ARTS IN SCHOOLS INITIATIVE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jacumin:

**S.B. 1838**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN EXISTING CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senators McKissick; and Atwater:

**S.B. 1839**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS.

Referred to the **Finance Committee**.

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By Senators McKissick; and Atwater:

**S.B. 1840**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES.

Referred to the **Finance Committee**.

By Senators McKissick; Albertson, Allran, Atwater, Boseman, Brunstetter, Clodfelter, Dalton, Dannelly, Foriest, Forrester, Goss, Hartsell, Jenkins, Jones, Kerr, Nesbitt, Purcell, Snow, Stevens, Swindell and Weinstein:

**S.B. 1841**, A BILL TO BE ENTITLED AN ACT CREATING THE LEGISLATIVE STUDY COMMISSION ON URBAN GROWTH AND INFRASTRUCTURE ISSUES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Kinnaird:

**S.B. 1842**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REQUIRE GREATER ENERGY EFFICIENCY AND USE OF RENEWABLE ENERGY IN NEW DEVELOPMENT AND REDEVELOPMENT AS PART OF BUILDING CODES.

Referred to the **State & Local Government Committee**.

By Senator Kinnaird:

**S.B. 1843**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH.

Referred to the **Finance Committee**.

By Senators Dannelly; Dorsett, Foriest, Graham, Hartsell, Jenkins, Jones, Malone, McKissick and Shaw:

**S.B. 1844**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INFORMAL BID LIMIT FOR DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

By Senators Dannelly; Clodfelter, Goodall and Graham:

**S.B. 1845**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM.

Referred to the **State & Local Government Committee**.

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By Senator Dalton:

**S.B. 1846**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PAYABLE THROUGH THE NATIONAL GUARD PENSION FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

By Senator Dalton:

**S.B. 1847**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER'S EDUCATION, TRAINING, AND ENTREPRENEUR CENTER AND TO LEVERAGE MATCHING FUNDS FOR THIS FACILITY FROM THE FEDERAL GOVERNMENT AND PRIVATE INDUSTRY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton and Albertson:

**S.B. 1848**, A BILL TO BE ENTITLED AN ACT TO STIMULATE JOB-CREATING VENTURES, EXPAND BUSINESS OPPORTUNITIES, AND PROMOTE ECONOMIC TRANSITION IN DISTRESSED RURAL AREAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rand; Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Pittenger, Preston, Purcell, Queen, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein:

**S.B. 1849**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KIDS VOTING OF NORTH CAROLINA PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Berger of Franklin; Clodfelter, Cowell, East, Forrester, Garrou, Graham, Kinnaird, Malone, McKissick and Nesbitt:

**S.B. 1850**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR DEVELOPMENTAL DISABILITIES SERVICES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hartsell:

**S.B. 1851**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

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By Senators Brunstetter, Kerr, Clodfelter, Dalton, Hartsell and Hoyle:

**S.B. 1852**, A BILL TO BE ENTITLED AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT.

Referred to the **Finance Committee**.

By Senators Rand; Apodaca, Atwater, Clodfelter, Cowell, Forrester, Garrou, Hagan, Malone and Stevens:

**S.B. 1853**, A BILL TO BE ENTITLED AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS, AND PERTAINING TO THE NORTH CAROLINA HEALTH CHOICE PROGRAM.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senator Jones:

**S.B. 1854**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR THE STATE'S RESOURCE CONSERVATION AND DEVELOPMENT COUNCILS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Jones and Jenkins:

**S.B. 1855**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WOW E-COMMUNITY DEVELOPMENT CORPORATION TO PROVIDE THE STATE WITH BROADBAND ACCESSIBILITY STUDIES FOR NINE RURAL EASTERN COUNTIES AS A TOOL FOR PLANNING BROADBAND DEPLOYMENT AND TO ENSURE ACCOUNTABILITY FOR STATE FUNDS USED FOR DEPLOYMENT OF BROADBAND AND TO PROVIDE FUNDS FOR BROADBAND INFRASTRUCTURE FOR FOUR NORTHEASTERN COUNTIES TO DETERMINE THE EFFICACY OF WIRELESS BROADBAND AS A PREFERRED SOLUTION FOR PROVIDING THE REMOTE RURAL COMMUNITIES IN NORTH CAROLINA WITH BROADBAND.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Preston:

**S.B. 1856**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY.

Referred to the **State & Local Government Committee**.

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By Senators Brown; Allran, Apodaca, Berger of Rockingham, Blake, Brock, Cowell, East, Foriest, Forrester, Garrou, Goodall, Graham, Hunt, Jacumin, McKissick, Preston, Shaw, Smith, Snow, Stevens and Tillman:

**S.B. 1857**, A BILL TO BE ENTITLED AN ACT TO CREATE A SALES TAX EXEMPTION FOR PURCHASES OF SCHOOL INSTRUCTIONAL MATERIAL ASSIGNED BY A COURSE INSTRUCTOR AT POSTSECONDARY EDUCATIONAL INSTITUTIONS.

Referred to the **Finance Committee**.

By Senators Brown; Allran, Apodaca, Berger of Rockingham, Blake, Boseman, Brock, Cowell, East, Foriest, Forrester, Graham, Hunt, Jacumin, McKissick, Preston, Purcell, Shaw, Smith, Snow, Stevens, Swindell and Tillman:

**S.B. 1858**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A SCHOOL CONSTRUCTION PILOT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Brown:

**S.B. 1859**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO JONES COUNTY TO EXTEND SEWER LINES TO SCHOOLS WITH SEPTIC SYSTEMS IN THE TOWN OF TRENTON.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Allran; Atwater, Berger of Rockingham, Brown, Dorsett, Forrester, Hartsell, Hunt, Jacumin, Nesbitt, Purcell, Rand and Snow:

**S.B. 1860**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary II Committee**.

By Senators Allran; Berger of Rockingham, Brown, Foriest, Hartsell, Hunt, Jacumin, Preston, Shaw, Snow and Tillman:

**S.B. 1861**, A BILL TO BE ENTITLED AN ACT TO RAISE THE INCOME ELIGIBILITY LIMIT OF THE HOMESTEAD EXCLUSION PROPERTY TAX BENEFIT TO THIRTY-FIVE THOUSAND DOLLARS.

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 1862**, A BILL TO BE ENTITLED AN ACT TO REMOVE A PORTION OF LAKE WACCAMAW STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW FOR BRIDGE REALIGNMENT ON BELLA COOLA ROAD, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

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By Senators Snow, Nesbitt; Allran, Apodaca, Blake, Cowell, East, Foriest, Forrester, Goss, Hunt, Jacumin, Jones, Malone, Preston, Queen, Soles, Stevens and Tillman:

**S.B. 1863**, A BILL TO BE ENTITLED AN ACT TO ALLOCATE ADDITIONAL LOTTERY PROCEEDS FOR SCHOOL CAPITAL PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1864**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL EDUCATION PROGRAM DEVELOPMENT AND ENHANCEMENT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1865**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AGRICULTURAL CURRICULUM DEVELOPMENT COORDINATOR AT NORTH CAROLINA STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1866**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FRIENDS OF AGRICULTURE, YOUTH AND EDUCATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 1867**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MAINTENANCE, UPKEEP, AND MANAGEMENT OF THE FUTURE FARMERS OF AMERICA CENTER AT WHITE LAKE, NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Goodall; and Graham:

**S.B. 1868**, A BILL TO BE ENTITLED AN ACT TO ALLOW COMPANY POLICE OFFICERS CONTRACTED BY THE CITY OF CHARLOTTE TO EXERCISE POLICE POWERS ON CHARLOTTE AREA TRANSIT SYSTEM VEHICLES.

Referred to the **State & Local Government Committee**.

By Senator Brock:

**S.J.R. 1869**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING

A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION.

Referred to the **Rules and Operations of the Senate Committee.**

By Senators Brock; Blake, Hunt and Tillman:

**S.J.R. 1870**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MOVE THE PRESIDENTIAL PREFERENCE PRIMARY TO FEBRUARY.

Referred to the **Rules and Operations of the Senate Committee.**

By Senator Clodfelter:

**S.B. 1871**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, TO STUDY THE COSTS AND BENEFITS OF THE ADOPTION OF CALIFORNIA MOTOR VEHICLE EMISSIONS STANDARDS IN NORTH CAROLINA.

Referred to the **Rules and Operations of the Senate Committee.**

By Senator Clodfelter:

**S.B. 1872**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee.**

By Senator Clodfelter:

**S.B. 1873**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADVANCE PLANNING OF NEW COMMUNITY COLLEGE CAMPUSES AND BUILDINGS.

Referred to the **Appropriations/Base Budget Committee.**

By Senators Clodfelter; Brunstetter and Garrou:

**S.B. 1874**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Select Committee on Government and Election Reform.**

By Senators Clodfelter; Brunstetter and Garrou:

**S.B. 1875**, A BILL TO BE ENTITLED AN ACT TO CLARIFY JURISDICTION UNDER THE STATE GOVERNMENT ETHICS ACT WITH REGARDS TO OFFICE OF THE STATE AUDITOR AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Select Committee on Government and Election Reform.**

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By Senators Clodfelter, Kerr, Brunstetter, Dalton, Hartsell, Hoyle; and Snow:

**S.B. 1876**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION.

Referred to the **Finance Committee**.

By Senators Clodfelter; Brunstetter and Garrou:

**S.B. 1877**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ETHICS COMMISSION TO FUND ADDITIONAL POSITIONS, AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter, Kerr, Brunstetter, Dalton, Hartsell, Hoyle; and Snow:

**S.B. 1878**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO TREAT MOBILE HOMES THE SAME AS OTHER HOMES WITH RESPECT TO PROPERTY TAX LIENS, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, AND TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY.

Referred to the **Finance Committee**.

By Senators Clodfelter and Albertson:

**S.B. 1879**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT WATER MANAGEMENT AND DROUGHT PREPAREDNESS AND RESPONSE MEASURES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Clodfelter:

**S.J.R. 1880**, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE STUDY COMMISSION TO STUDY THE STANDARDS APPLIED IN DISPUTED CHILD CUSTODY CASES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Clodfelter:

**S.B. 1881**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EIGHT ADDITIONAL ASSISTANT DISTRICT ATTORNEYS FOR PROSECUTORIAL DISTRICT 26.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Clodfelter:

**S.J.R. 1882**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REGISTER OF DEEDS TO STORE AN ELECTRONIC COPY OF THE JUROR MASTER LIST.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Clodfelter:

**S.J.R. 1883**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Clodfelter:

**S.B. 1884**, A BILL TO BE ENTITLED AN ACT TO INCREASE REIMBURSEMENT TO COUNTIES FOR STATE INMATES HOUSED IN LOCAL CONFINEMENT FACILITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Clodfelter:

**S.B. 1886**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL POSITIONS FOR THE MENTAL HEALTH COURT PILOT PROJECT IN THE 26TH JUDICIAL DISTRICT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 1887**, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE EXEMPTION FOR COUNTIES AND MUNICIPALITIES FOR ADVANCING FACILITIES FEES, GENERAL COURT OF JUSTICE FEES, AND MISCELLANEOUS COURT FEES.

Referred to the **Finance Committee**.

By Senator Clodfelter:

**S.B. 1888**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MANAGEMENT ANALYST POSITION FOR THE 26TH JUDICIAL DISTRICT.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Clodfelter:

**S.B. 1889**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH ADDITIONAL COURT PERSONNEL FOR THE 26TH JUDICIAL DISTRICT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goodall:

**S.B. 1890**, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO OPERATE HIGH SPEED-INTERNET, INCLUDING BUT NOT LIMITED TO, WIRELESS AS A PUBLIC ENTERPRISE.

Referred to the **State & Local Government Committee**.

By Senators Bingham, Purcell; Allran, Dorsett, Garrou, Jenkins, Jones, Malone, McKissick and Swindell:

**S.B. 1891**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Transportation Committee**.

By Senators Purcell; Dorsett, Jenkins, Jones, Malone and McKissick:

**S.B. 1892**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE AND FUND THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Stevens:

**S.B. 1893**, A BILL TO BE ENTITLED AN ACT TO EXEMPT SCHOOL EMPLOYEES FROM REGISTRATION FEES FOR COURSES IN FIRST AID OR CARDIOPULMONARY RESUSCITATION (CPR).

Referred to the **Appropriations/Base Budget Committee**.

By Senators Stevens; Atwater, Kinnaird, Malone and McKissick:

**S.B. 1894**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONGESTION RELIEF AND INTERMODAL TRANSPORTATION 21ST CENTURY FUND, TO PROVIDE FOR ALLOCATION OF THOSE FUNDS

TO: (1) LOCAL GOVERNMENTS AND TRANSPORTATION AUTHORITIES FOR PUBLIC TRANSPORTATION PURPOSES, (2) SHORT-LINE RAILROADS, FOR ASSISTANCE IN MAINTAINING AND EXPANDING FREIGHT SERVICE STATEWIDE, (3) RAILROADS FOR INTERMODAL FACILITIES, MULTIMODAL FACILITIES, AND INLAND PORTS, (4) MAKE CAPITAL IMPROVEMENTS ON RAIL LINES TO ALLOW IMPROVED FREIGHT SERVICE TO THE PORTS AND MILITARY INSTALLATIONS, (5) EXPAND INTERCITY PASSENGER RAIL SERVICE, AND TO EXTEND COMMON LEVELS OF LOCAL TRANSIT FUNDING AUTHORIZATION TO THREE URBAN REGIONS, AND ALLOW OTHER LOCAL GOVERNMENTS SIMILAR OPTIONS FOR LOCAL TRANSIT FUNDING, AND TO EXTEND THE STATE PORTS TAX CREDIT, ALL AS RECOMMENDED BY THE 21ST CENTURY TRANSPORTATION COMMITTEE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Smith:

**S.B. 1895**, A BILL TO BE ENTITLED AN ACT AUTHORIZING JOHNSTON COUNTY TO EXPAND AND IMPROVE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

Referred to the **State & Local Government Committee**.

By Senators Rand; and Malone:

**S.B. 1896**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE SMALL BUSINESS CONTRACTOR ACT AND TO APPROPRIATE FUNDS FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Apodaca, Jones, Preston and Purcell:

**S.B. 1897**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR THE INTERNATIONAL ASSOCIATION OF ADMINISTRATIVE PROFESSIONALS, INC.

Referred to the **Finance Committee**.

By Senators Swindell, Malone, Queen, Atwater, Goss, Tillman; Apodaca, Brown, Foriest, Hoyle, Jenkins, Jones, McKissick, Preston and Soles:

**S.B. 1898**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENSURE THAT CHILD NUTRITION PROGRAMS OPERATING IN THE PUBLIC SCHOOLS HAVE ADEQUATE FUNDS TO IMPLEMENT NUTRITION STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION FOR ELEMENTARY SCHOOLS.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Swindell; Jones, Preston and Purcell:

**S.B. 1899**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADVANCEMENT VIA INDIVIDUAL DETERMINATION (AVID) PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Dannelly; Apodaca, Jenkins, Jones, Preston and Purcell:

**S.B. 1900**, A BILL TO BE ENTITLED AN ACT TO RAISE THE FUNDING CAP ON CHILDREN RECEIVING SUPPLEMENTAL FUNDING FOR ACADEMICALLY OR INTELLECTUALLY GIFTED CHILDREN, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Swindell:

**S.B. 1901**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE SCIENCE MUSEUMS OF WILSON.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Apodaca, Clodfelter, Forrester, Malone, Stevens and Weinstein:

**S.B. 1902**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

Referred to the **Finance Committee**.

By Senators Dorsett; and Rand:

**S.B. 1903**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR WOMEN'S HEALTH RESEARCH AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett, Hagan; Jones and Malone:

**S.B. 1904**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONSTRUCT AND EQUIP THE JOHN COLTRANE MUSIC HALL AT THE COMMUNITY ARTS CENTER IN HIGH POINT.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Boseman, Jones, Kinnaird and Malone:

**S.B. 1905**, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO DEVELOP AND IMPLEMENT APPROPRIATE GRADE-LEVEL CURRICULUM MATERIALS ON THE 1898 WILMINGTON RACE RIOT.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Dorsett; Jones, Kinnaird and Malone:

**S.B. 1906**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO LEADERSHIP CONNECTIONS, A STATEWIDE MENTORING PROGRAM FOR YOUNG WOMEN.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; and Hagan:

**S.B. 1907**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF GREENSBORO TO ESTABLISH JOB TRAINING SERVICES FOCUSING ON THE NEEDS OF THE HOMELESS AND EX-OFFENDER POPULATIONS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett, Hagan; Jones and Malone:

**S.B. 1908**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT GLOBAL MARKETING, COMMUNICATIONS, AND PROMOTIONS OF THE HIGH POINT INTERNATIONAL HOME FURNISHINGS MARKET.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Kinnaird, Malone and Purcell:

**S.B. 1909**, A BILL TO BE ENTITLED AN ACT TO MAINTAIN AN ACCESSIBLE ELECTRONIC INFORMATION SERVICE FOR BLIND AND DISABLED PERSONS AND TO APPROPRIATE FUNDS FOR THE SERVICE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Boseman, Hagan, Jones, Kinnaird and Malone:

**S.B. 1910**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOUSING TRUST FUND.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Hagan and Malone:

**S.B. 1911**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FAMILY LIFE COUNCIL OF GREATER GREENSBORO, INC., TO SUPPORT ITS WISE GUYS PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dorsett:

**S.B. 1912**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY FOR PLANNING ACTIVITIES RELATED TO THE CONSTRUCTION OF A VISUAL ARTS AND PERFORMING ARTS CENTER.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Dorsett; Allran, Apodaca, Atwater, Berger of Franklin, Boseman, Brown, Brunstetter, Clodfelter, Cowell, Dannelly, Foriest, Forrester, Garrou, Graham, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Snow, Swindell and Tillman:

**S.B. 1913**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ARTS COUNCIL PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Boseman, Cowell, Foriest, Graham, Jones, Kinnaird, Malone, McKissick, Nesbitt and Shaw:

**S.B. 1914**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PREVENTION OF ADOLESCENT PREGNANCIES AND THE PREVENTION OF SCHOOL DROPOUT DUE TO ADOLESCENT PREGNANCIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett, Hagan; Atwater, Boseman, Jones, Kinnaird and Malone:

**S.B. 1915**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INTERNATIONAL CIVIL RIGHTS CENTER AND MUSEUM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Berger of Rockingham, Hagan and Malone:

**S.B. 1916**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS.

Referred to the **State & Local Government Committee**.

By Senators Dorsett; Hagan and Malone:

**S.B. 1917**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A STUDENT SERVICES CENTER AT NORTH CAROLINA AGRICULTURAL & TECHNICAL STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett; Jones, Kinnaird and Malone:

**S.B. 1918**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO PAY CERTAIN FACILITIES THE RATE PAID FOR SHORT-TERM ACUTE CARE HOSPITALS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett, Hagan; Kinnaird and Malone:

**S.B. 1919**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MALACHI HOUSE TO CONSTRUCT A NEW DORMITORY.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Dorsett; Cowell, Foriest, Graham, Jones, Malone, McKissick and Rand:

**S.B. 1920**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE AFRICAN-AMERICAN HERITAGE COMMISSION IN THE DEPARTMENT OF CULTURAL RESOURCES AND APPROPRIATING FUNDS TO SUPPORT THE COMMISSION.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dorsett:

**S.B. 1921**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL STATE CAPITOL POLICE OFFICER POSITIONS WITHIN THE DEPARTMENT OF ADMINISTRATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dorsett:

**S.B. 1922**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FREE PARKING IN GOVERNMENT OWNED PARKING LOTS FOR HANDICAPPED INDIVIDUALS DISPLAYING A PROPER HANDICAP LICENSE PLATE OR PLACARD.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson and Clodfelter:

**S.B. 1923**, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE SOLID WASTE DISPOSAL TAX IMPOSED BY ARTICLE 5G OF SUBCHAPTER I OF CHAPTER 105 OF THE GENERAL STATUTES, AS ENACTED BY S.L. 2007-550 AND AMENDED BY S.L. 2007-543, FROM 1 JULY 2008 TO 1 JANUARY 2009, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Finance Committee**.

By Senator Purcell:

**S.B. 1924**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

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By Senators Kerr and Stevens:

**S.B. 1925**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS.

Referred to the **Finance Committee**.

By Senator Cowell:

**S.B. 1926**, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR COMPUTER EQUIPMENT MANAGEMENT ENACTED BY S.L. 2007-550 TO (1) CLARIFY THAT THE PROGRAM APPLIES ONLY TO COMPUTER EQUIPMENT DISCARDED BY CONSUMERS IN THE STATE AND (2) ADD TELEVISIONS DISCARDED BY CONSUMERS IN THE STATE TO THE EQUIPMENT THAT MUST BE RECOVERED FOR REUSE OR RECYCLING, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Finance Committee**.

By Senator Cowell:

**S.R. 1927**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Referred to the **Pensions & Retirement and Aging Committee**.

By Senators Garrou, Hagan, Stevens, Tillman, Queen, Hartsell, Preston; Brown, Brunstetter, Hoyle, Jenkins and Purcell:

**S.B. 1928**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE NORTH CAROLINA PTA PARENTAL INVOLVEMENT INITIATIVE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goss:

**S.B. 1929**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CLOSING OF THE UPPER MOUNTAIN RESEARCH STATION LOCATED IN LAUREL SPRINGS AND TO PROHIBIT THE SALE OF THE REAL PROPERTY UPON WHICH THE RESEARCH STATION IS LOCATED.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Goss:

**S.B. 1930**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM,

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AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 1931**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT A PROGRAM COORDINATOR POSITION FOR THE NORTH CAROLINA KEEP AMERICA BEAUTIFUL ORGANIZATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson and Goss:

**S.B. 1932**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A COST SHARE PROGRAM TO ASSIST NORTH CAROLINA FARMERS WHO SUFFERED DAMAGE FROM THE SEVERE AND EXTREME DROUGHT CONDITIONS IN NORTH CAROLINA IN 2007 AND, IN FURTHER RESPONSE TO THE 2007 DROUGHT, TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO ASSIST THE GREEN INDUSTRIES AND TO ESTABLISH AND SUPPORT A POSITION TO COORDINATE A STATEWIDE AGRICULTURE RESPONSE TEAM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE AGRICULTURAL DROUGHT RESPONSE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 1933**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Albertson:

**S.B. 1934**, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Albertson:

**S.B. 1935**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST WITH THE COSTS OF EQUIPPING AND OPERATING THE DUPLIN COUNTY EVENTS CENTER.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Albertson:

**S.B. 1936**, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS, (2) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS, (3) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS, (4) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS, AND (5) TO MAKE OTHER IMPROVEMENTS TO THE UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 1937**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AND PROMOTE THE USE OF RECLAIMED WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Albertson:

**S.B. 1938**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senators Kerr, Brunstetter, Clodfelter, Dalton, Hartsell and Hoyle:

**S.B. 1939**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS.

Referred to the **Finance Committee**.

By Senators Malone, Queen, Boseman, Jenkins; Apodaca, Atwater, Berger of Franklin, Brunstetter, Cowell, Dorsett, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hunt, Jones, McKissick, Nesbitt, Purcell, Rand, Snow, Stevens and Tillman:

**S.B. 1940**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

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FUNDS FOR COMMUNITIES IN SCHOOLS OF NORTH CAROLINA, INC., PROGRAMS AND SERVICES AND TO PLACE NO FEWER THAN ONE HUNDRED GRADUATION COACHES IN EITHER MIDDLE OR HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone; Atwater, Berger of Franklin, Dorsett, Foriest, Forrester, Graham, Hartsell, Hunt, Jones, McKissick, Nesbitt, Purcell, Rand, Shaw, Snow, Stevens, Swindell and Tillman:

**S.B. 1941**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALARY SCHEDULE RATE INCREASE FOR CERTIFIED PERSONNEL OF THE PUBLIC SCHOOLS WHO ARE PAID ON THE ADVANCED DEGREE (SIXTH YEAR) OR DOCTORATE DEGREE SALARY SCHEDULE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone, Swindell; Atwater, Berger of Franklin, Cowell, Dorsett, Foriest, Forrester, Goss, Graham, Hartsell, Hunt, Jones, McKissick, Nesbitt, Purcell, Rand, Shaw, Snow, Stevens and Tillman:

**S.B. 1942**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NEW SALARY SCHEDULE FOR NONCERTIFIED PERSONNEL OF THE NORTH CAROLINA PUBLIC SCHOOLS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone; Atwater, Berger of Franklin, Brunstetter, Cowell, Dorsett, Foriest, Goss, Graham, Hartsell, Hunt, Jones, McKissick, Nesbitt, Purcell, Rand, Shaw, Snow, Stevens and Swindell:

**S.B. 1943**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE EXPANSION AT THE NORTH CAROLINA MUSEUM OF ART.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hartsell:

**S.B. 1944**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALES AND USE TAX HOLIDAY FOR CERTAIN ENERGY EFFICIENT PRODUCTS.

Referred to the **Finance Committee**.

By Senator Atwater:

**S.B. 1945**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY.

Referred to the **State & Local Government Committee**.

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By Senator Cowell:

**S.B. 1946**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 5:57 P.M.

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### ONE HUNDRED TWENTY-FIRST DAY

Senate Chamber  
Friday, May 23, 2008

The Senate meets pursuant to adjournment and is called to order by The Honorable Janet Pruitt, Senate Principal Clerk, who relinquishes the gavel to The Honorable Vernon Malone, who presides in the absence of the Lieutenant Governor.

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

"Holy and comforting God, as we head off in many directions today to observe the Memorial Day weekend, we pray for those for whom the death of a fallen hero is as fresh as the ink on this morning's paper or for those with deep scar tissue dating back to wars which seem a distant memory. We ask that you comfort your people. We confess, O Lord, that we do not understand those who define war by the adjective, 'Holy.' While we stand at attention, honoring the memory and sacrifice of service men and women, you grieve each death and wrap your arms around us. That is the gift and definition of holiness and holiness that we know and appreciate. Thank you, dear God. Amen."

Senator Cowell announces that the Journal of Thursday, May 22, has been examined and is found to be correct. Upon her motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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**ADDITIONAL SPONSORS**

Senator Atwater requests to be added as a sponsor of previously introduced legislation:

**S.B. 1629**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED EXEMPTION FOR BAKED GOODS FROM STATE SALES AND USE TAXES.

**S.B. 1630**, A BILL TO BE ENTITLED AN ACT TO EXEMPT BAKED GOODS FROM STATE SALES AND USE TAXES.

**S.B. 1831**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECT C.A.R.E. (CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY) WHICH PROVIDES CONSUMER-DIRECTED RESPITE CARE AND COMPREHENSIVE SUPPORT TO DEMENTIA CAREGIVERS WITH A GOAL OF INCREASING RESPITE AND SUPPORT SERVICES TO LOW-INCOME RURAL AND MINORITY CAREGIVERS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**S.B. 1847**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER'S EDUCATION, TRAINING, AND ENTREPRENEUR CENTER AND TO LEVERAGE MATCHING FUNDS FOR THIS FACILITY FROM THE FEDERAL GOVERNMENT AND PRIVATE INDUSTRY.

**S.B. 1850**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR DEVELOPMENTAL DISABILITIES SERVICES.

**S.B. 1854**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR THE STATE'S RESOURCE CONSERVATION AND DEVELOPMENT COUNCILS.

**S.B. 1857**, A BILL TO BE ENTITLED AN ACT TO CREATE A SALES TAX EXEMPTION FOR PURCHASES OF SCHOOL INSTRUCTIONAL MATERIAL ASSIGNED BY A COURSE INSTRUCTOR AT POSTSECONDARY EDUCATIONAL INSTITUTIONS.

**S.B. 1892**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE AND FUND THE PRODUCTION OF AN EDUCATIONAL

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VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

**S.B. 1900**, A BILL TO BE ENTITLED AN ACT TO RAISE THE FUNDING CAP ON CHILDREN RECEIVING SUPPLEMENTAL FUNDING FOR ACADEMICALLY OR INTELLECTUALLY GIFTED CHILDREN, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

**S.B. 1910**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOUSING TRUST FUND.

**S.B. 1914**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PREVENTION OF ADOLESCENT PREGNANCIES AND THE PREVENTION OF SCHOOL DROPOUT DUE TO ADOLESCENT PREGNANCIES.

**S.B. 1932**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A COST SHARE PROGRAM TO ASSIST NORTH CAROLINA FARMERS WHO SUFFERED DAMAGE FROM THE SEVERE AND EXTREME DROUGHT CONDITIONS IN NORTH CAROLINA IN 2007 AND, IN FURTHER RESPONSE TO THE 2007 DROUGHT, TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO ASSIST THE GREEN INDUSTRIES AND TO ESTABLISH AND SUPPORT A POSITION TO COORDINATE A STATEWIDE AGRICULTURE RESPONSE TEAM, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON THE AGRICULTURAL DROUGHT RESPONSE.

**S.B. 1944**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALES AND USE TAX HOLIDAY FOR CERTAIN ENERGY EFFICIENT PRODUCTS.

Upon motion of Senator Stevens, seconded by Senator Cowell, the Senate adjourns at 9:02 A.M. to meet Tuesday, May 27, at 2:00 P.M.

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May 23, 2008

**ONE HUNDRED TWENTY-SECOND DAY**

Senate Chamber  
Tuesday, May 27, 2008

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

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

"Dear God, as I leaned over to pick up a penny from the sidewalk, Ben Franklin's one-line wisdom saying came to mind, 'A penny saved is a penny earned.' In today's culture, O Lord, pennies apparently are nearly worthless. Clerks discount the fact that we are a penny or two short because they can pull some of those pennies from a small bowl near the register that other folk have donated. I wonder what Mr. Franklin would think? Some of us remember fondly filling our banks with pennies while growing up. But pennies are valuable for more than nostalgic reasons. Pennies recall a lost intimacy between work and play, between effort and reward. Discarded pennies are also a reminder of your grace, O God. Like the woman in the Bible searching for her lost coin, you continue to reach out for the least and the lost, even each of us. Amen."

The Chair grants a leave of absence for today to Senator Graham.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Friday, May 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Monica Doerr from High Point, North Carolina, who is serving the Senate as Doctor of the Day, and to Justine Nixon from Durham, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**H.J.R. 249**, A JOINT RESOLUTION HONORING THE LIVES AND ACHIEVEMENTS OF LOUIS ROUND WILSON, SUSAN GREY AKERS, AND FREDERICK G. KILGOUR OF THE SCHOOL OF INFORMATION AND LIBRARY SCIENCE, THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, ON THE 75TH ANNIVERSARY OF ITS FOUNDING. (Res. 4)

**H.J.R. 2263**, A JOINT RESOLUTION RECOGNIZING THE OUTSTANDING ACHIEVEMENTS OF THE PERSON HIGH SCHOOL GIRLS' VOLLEYBALL TEAM. (Res. 5)

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**H.J.R. 2274**, A JOINT RESOLUTION RECOGNIZING THE BICENTENNIAL OF HAYWOOD COUNTY AND HONORING JOHN HAYWOOD, FOR WHOM THE COUNTY IS NAMED. (Res. 6)

**H.J.R. 2478**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF GREENSBORO AS THE CITY OBSERVES ITS BICENTENNIAL. (Res. 7)

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**S.J.R. 1634**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF DAVID MCCOY AS STATE CONTROLLER, with a favorable report.

#### **LETTER OF RESIGNATION**

**OFFICE OF SENATOR ROBERT M. PITTENGER  
39TH DISTRICT  
LEGISLATIVE OFFICE BUILDING  
300 N. SALISBURY STREET, ROOM 521  
RALEIGH, N.C. 27603-5925**

May 27, 2008

The Honorable Michael F. Easley  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

Dear Governor Easley:

By this letter, I submit my resignation as a member of the North Carolina Senate, effective today. I am grateful to the citizens in District 39 for the privilege of serving them and this great state.

Sincerely,  
S/Robert M. Pittenger  
NC Senate

RMP/psh

cc: Lt. Governor Beverly Perdue                      Senate Minority Leader Phil Berger  
      President Pro Tem Marc Basnight                Senate Principal Clerk Janet Pruitt

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Upon motion of Senator Soles, the remarks of Senator Basnight and Senator Pittenger are spread upon the Journal, as follows:

**Senator Basnight:**

“If I heard the announcement, Senator Pittenger is leaving us today. Is that correct? I want to thank you for your service to your district and to the people, your friendship with me, and your counsel and prayer at different times. I will never forget that. Your obedience to your belief and the sincerity from which you speak is well recognized and appreciated by all of us in this Chamber. I thank you for the kind of man you are. I wish you God's speed and success in your personal endeavors.”

**Senator Pittenger:**

“It is really with sadness that I leave this distinctive Body and I've really enjoyed this experience. It has really been a challenge and has really been an education for me. I learned a lot in the last five and a half years. But along the way of this experience, I have a deep amount of gratitude for a lot of people who are highly skilled professionals who really helped serve my constituents and what I sought to do for this great State. I would begin by just thanking Gerry Cohen and his great team of drafters. They have such dedication and willingness to serve and do whatever it takes to the infinite degree. Also, I want to thank Lynn Muchmore and all the fiscal research people and their countless questions that they responded to and desire for information to try to get the facts all the time. Janet Pruitt, you are amazing. I am grateful for you and all of your staff. They are wonderful people. I never felt the least bit of somebody in the minority. You always treated me and everyone that I know with great respect and I do appreciate that very much. Thank you to Cecil Goins for keeping us all safe and all your team, thank you for that. I wish Peggy Halifax, my assistant, was here today. She is a remarkable lady. There are hundreds of folks out there who think well of me because of what Peggy did for them. We focused on constituent services as all of us do. A part of this great job is public policy and the other part is serving the specific needs of people. Peggy was incredible. She would go to whatever limit it took to help meet somebody's need to get through the bureaucracy. We had a situation last week that Senator Basnight was fantastic with. He helped with a situation with children who are abused and neglected and abandoned. His General Counsel, Beth Braswell, got on the phone with the head of a major school, a private school up in the mountains, because they had just been road blocked by the bureaucracy and now hundreds of kids, I believe, are going to be able to have the nurture and loving care that they need to have. So that has been a blessing, just to have been a part of people's lives and I do appreciate that work that we were able to do last week, Senator Basnight. I just appreciate the relationships with many of you. I've learned a lot from a lot of you. I guess that would be loyal opposition in many respects, but we come from many different perspectives. I sought to do what I thought was right, but I appreciate where you all are and where you come from and we will continue. I

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have been on an earnest effort for fiscal reform. That has kind of been my package and I will continue that in some degree whether in public or private life. Thank you and God bless you.”

#### WITHDRAWAL FROM CLERK'S OFFICE

**H.B. 724** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES IN THE PUBLIC HEALTH LAW RELATED TO THE MEDICAL EXAMINER SYSTEM, INJURY CONTROL EFFORTS, TIMELINESS OF REPORTS BY SCHOOLS REGARDING IMMUNIZATIONS, AND THE CREATION, EXTENSION, AND DISSOLUTION OF SANITARY DISTRICTS, ordered held in the Office of the Principal Clerk on April 24, 2007, pending referral to committee.

Senator Rand announces the referral of the Committee Substitute bill to the **Health Care Committee**.

#### ADDITIONAL SPONSORS

Senator Berger of Rockingham requests to be added as a sponsor of previously introduced legislation:

**S.B. 1830**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ONE-FOURTH CENT LOCAL LAND TRANSFER TAX.

Senator Hartsell requests to be added as a sponsor of previously introduced legislation:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Hoyle requests to be added as a sponsor of previously introduced legislation:

**S.B. 1657**, A BILL TO BE ENTITLED AN ACT TO REVERSE THE INTERPRETATION OF THE DEPARTMENT OF REVENUE CONCERNING THE IMPOSITION OF SALES TAX ON INTERIOR DESIGN SERVICES PROVIDED IN CONJUNCTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

Senator Jacumin requests to be added as a sponsor of previously introduced legislation:

**S.B. 1830**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ONE-FOURTH CENT LOCAL LAND TRANSFER TAX.

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Senator Jenkins requests to be added as a sponsor of previously introduced legislation:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Snow requests to be added as a sponsor of previously introduced legislation:

**S.B. 1659**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE'S PUBLIC LIBRARY SYSTEMS FOR PUBLIC LIBRARY COLLECTIONS.

**S.B. 1850**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR DEVELOPMENTAL DISABILITIES SERVICES.

**S.B. 1854**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR THE STATE'S RESOURCE CONSERVATION AND DEVELOPMENT COUNCILS.

**S.B. 1892**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE AND FUND THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

Senator Tillman requests to be added as a sponsor of previously introduced legislation:

**S.B. 1830**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ONE-FOURTH CENT LOCAL LAND TRANSFER TAX.

Senator Weinstein requests to be added as a sponsor of previously introduced legislation:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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Upon motion of Senator Basnight, seconded by Senator Pittenger, the Senate adjourns subject to introduction of bills, reading of executive orders and receipt of messages from the House of Representatives, to meet Wednesday, May 28, at 2:00 P.M.

### EXECUTIVE ORDERS

Executive Orders received are presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows:

**Executive Order Number 141**, Proclamation of a State of Disaster for Bertie and Onslow Counties.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Kinnaird:

**S.B. 1947**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.

Referred to the **Finance Committee**.

By Senator Albertson:

**S.B. 1948**, A BILL TO BE ENTITLED AN ACT ALLOWING DUPLIN COUNTY TO GARNISH WAGES FOR DEBTS OWED TO THE COUNTY.

Referred to the **State & Local Government Committee**.

By Senator Albertson:

**S.B. 1949**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DUPLIN COUNTY PUBLIC SCHOOLS FOR THE IMMERSIVE EDUCATIONAL TECHNOLOGY PILOT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Purcell:

**S.B. 1950**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PAY FOR NONBETTERMENT COSTS WHEN RELOCATING WATER AND SEWER LINES FOR STATE HIGHWAY IMPROVEMENT PROJECTS INITIATED ON OR AFTER MAY 1, 2008.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hoyle; Allran, Bingham, Boseman, Hartsell, Jenkins, Jones, Malone, Queen, Shaw, Snow, Stevens, Swindell and Tillman:

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE

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AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX.

Referred to the **Finance Committee**.

By Senator Hoyle:

**S.B. 1952**, A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO HELP SMALL BUSINESSES UNDERSTAND THE COMPLEXITIES OF THE SALES AND USE TAX LAWS BY REQUIRING CONSULTATION FROM THE DEPARTMENT OF REVENUE, AND TO ALLOW ALL TAXPAYERS TO RELY ON VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE.

Referred to the **Finance Committee**.

By Senator Hoyle:

**S.B. 1953**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES AND USE TAX TREATMENT OF BREAD.

Referred to the **Finance Committee**.

By Senators Dalton; and Atwater:

**S.B. 1954**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE HISTORICALLY MINORITY UNIVERSITY INFRASTRUCTURE GRANT (HIG) PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1955**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL.

Referred to the **Judiciary I Committee**.

By Senator Rand:

**S.B. 1956**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CHAIR OF THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION SHALL RECEIVE THE SAME SALARY AS THAT PROVIDED TO CHIEF DISTRICT COURT JUDGES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1957**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SUBJECT MATTER AND TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY POLICE WITHIN WAKE COUNTY AND THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES FOR PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT

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SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND LOCAL, STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

Referred to the **State & Local Government Committee**.

By Senator Atwater:

**S.B. 1958**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXEMPTION TO THE CITY OF SANFORD BY ALLOWING THE CITY TO EXPAND THE LEE COUNTY WATER SYSTEM WHICH IS NOW OPERATED BY THE CITY.

Referred to the **Finance Committee**.

By Senators McKissick; Albertson, Berger of Franklin, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, Foriest, Forrester, Garrou, Goss, Hartsell, Hoyle, Jenkins, Jones, Kerr, Malone, Nesbitt, Preston, Purcell, Shaw, Smith, Snow, Soles, Stevens, Swindell and Weinstein:

**S.B. 1959**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR REGIONAL COUNCILS OF GOVERNMENT TO DEVELOP AND IMPLEMENT A WATER RESOURCE MANAGEMENT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators McKissick; Albertson, Berger of Franklin, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, Foriest, Forrester, Garrou, Goss, Hartsell, Hoyle, Jenkins, Jones, Kerr, Malone, Nesbitt, Preston, Purcell, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell and Weinstein:

**S.B. 1960**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT A RURAL-URBAN DROPOUT PREVENTION PILOT PROGRAM IN DURHAM AND VANCE COUNTIES TO BENEFIT ALL NORTH CAROLINA SCHOOLS.

Referred to the **Appropriations/Base Budget Committee**.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
May 27, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 274**, A BILL TO BE ENTITLED AN ACT TO CREATE

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ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 2:50 P.M.

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**ONE HUNDRED TWENTY-THIRD DAY**

Senate Chamber  
Wednesday, May 28, 2008

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

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

"Dear God, sometimes we discuss, we debate, even argue from different perspectives only to find the same answer. A story illustrates: A man was walking by a neighbor's house one day when he saw a strange sight. His neighbor had leaned a long stackpole up in a tree and was attempting to climb the pole with a measuring stick to find out how tall it was. 'Why don't you just lay it down on the ground and measure it?' the man asked, trying to be helpful. 'Because I don't want to know how long it is. I want to know how tall it is,' he answered. Thus ends the parable and the lesson. Amen."

The Chair grants leaves of absence for today to Senator Dannelly and Senator Graham.

Senator Dorsett announces that the Journal of Tuesday, May 27, has been examined and is found to be correct. Upon her motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Richard Zollinger II, from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Jean Melville from Clayton, North Carolina, who is serving the Senate as Nurse of the Day.*

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Dorsett for the **State & Local Government Committee**:

**S.B. 1579**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS, with a favorable report.

**S.B. 1597**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION, with a favorable report.

**S.B. 1598**, A BILL TO BE ENTITLED AN ACT TO ADD THE TOWN OF HOBGOOD TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55712, which changes the title to read **S.B. 1598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF BEULAVILLE, BUTNER, HOBGOOD, LOCUST, AND OAKBORO TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS, is adopted and engrossed.

Upon motion of Senator Dorsett, the Committee Substitute bill is re-referred to the **Finance Committee**.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.J.R. 1634**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF DAVID MCCOY AS STATE CONTROLLER.

The joint resolution passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**S.B. 1695**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO PROVIDE

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DIRECTION FOR THE OPERATION OF SEMITRAILERS OF NOT MORE THAN FIFTY-THREE FEET ON PRIMARY ROADS IN THIS STATE; TO INCREASE THE ALLOWABLE AXLE AND TOTAL WEIGHT OF SELF-PROPELLED, SELF-LOADING BEDS FOR COTTON TRANSPORT FROM FARM TO GIN, REGARDLESS OF AXLE WEIGHT; TO REMOVE THE WIDTH RESTRICTION ON FARM EQUIPMENT THAT IS SELF-PROPELLED, HAULED, OR PULLED ON A PUBLIC HIGHWAY, AND TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35588, which changes the title to read **S.B. 1695** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO AUTHORIZE VEHICLES WITH FARMER LICENSE PLATES TO OPERATE FOR FARM-RELATED ACTIVITIES; TO SPECIFY WHEN MUNICIPAL CONCURRENCE IS NECESSARY FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR THE TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the **Finance Committee**.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

Sky Bass, White Lake; Meisha Chestnut, Willow Springs; Jani Davis, Star; Wyatt Eudy, Denver; Kelly Frizzelle, Knightdale; Lindsey Goodstat, Greensboro; Alan Heverly, Jr., Emerald Isle; Lashley Kirkman, Greensboro; Yeya Love, Fuquay-Varina; Kira Lumsden, Cary; Nick McClelland, Knightdale; Kait Neeland, Harbinger; Madison Osborne, Salisbury; Savannah Posey, Raeford; Mina Powell, Durham; Monica Rivera, Raeford; Zack Russell, Knightdale; and Kaylynn Webb, Durham.

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**ADDITIONAL SPONSORS**

Senator Goodall requests to be added as a sponsor of previously introduced legislation:

**S.B. 1628**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

**S.B. 1629**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED EXEMPTION FOR BAKED GOODS FROM STATE SALES AND USE TAXES.

**S.B. 1630**, A BILL TO BE ENTITLED AN ACT TO EXEMPT BAKED GOODS FROM STATE SALES AND USE TAXES.

**S.B. 1644**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO HEARING LOSS IN OLDER ADULTS IN NORTH CAROLINA AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

**S.B. 1657**, A BILL TO BE ENTITLED AN ACT TO REVERSE THE INTERPRETATION OF THE DEPARTMENT OF REVENUE CONCERNING THE IMPOSITION OF SALES TAX ON INTERIOR DESIGN SERVICES PROVIDED IN CONJUNCTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

**S.B. 1684**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE EMERGENCIES, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Upon motion of Senator Basnight, seconded by Senator Malone, the Senate adjourns subject to introduction of bills, receipt of committee reports and messages from the House of Representatives, to meet Thursday, May 29, at 11:00 A.M.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Weinstein, Nesbitt, Queen, Snow; Atwater, Bingham, Goss, Jacumin, Preston, Soles, Swindell and Tillman:

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**S.B. 1961**, A BILL TO BE ENTITLED AN ACT TO DIRECT A JOINT EFFORT TO CONDUCT A STUDY OF, AND TO DEVELOP A STRATEGIC PLAN FOR, THE AGRICULTURAL RESEARCH STATIONS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Apodaca; Berger of Rockingham, Brunstetter, Forrester and Shaw:

**S.B. 1962**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A NEW AIRPORT BE CONSTRUCTED AND CERTIFIED BY THE PROPER AVIATION AUTHORITIES TO ALLOW INCOMING AND OUTGOING FLIGHTS WITHIN TEN NAUTICAL MILES OF THE CURRENT LANDING SITE BEFORE THE HORACE WILLIAMS AIRPORT MAY BE CLOSED.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton; and Atwater:

**S.B. 1963**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO EXPAND THE ENTREPRENEURSHIP AND REGIONAL CLUSTER-BASED ECONOMIC DEVELOPMENT INITIATIVES AT NORTH CAROLINA STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton; and Atwater:

**S.B. 1964**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE E-NC AUTHORITY TO SUPPORT CONNECTIVITY INITIATIVES AND TO ADVANCE TECHNOLOGY-BASED ECONOMIC DEVELOPMENT JOBS THROUGHOUT THE STATE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton; Bingham and Dorsett:

**S.B. 1965**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STEM CELL RESEARCH.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hartsell; Bingham and Preston:

**S.B. 1966**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL LOCAL MANAGEMENT ENTITIES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES IMPLEMENT MANAGED CARE PRACTICES TO REDUCE COST AND IMPROVE SERVICES AND EFFICIENCIES TO CLIENTS.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Boseman; Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Goodall, Hartsell, Hoyle, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Pittenger, Preston, Smith, Soles, Stevens, Swindell and Tillman:

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**S.B. 1967**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE TO MANAGE STORMWATER IN COASTAL COUNTIES.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

By Senator Boseman:

**S.B. 1968**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY.

Referred to the **Finance Committee**.

By Senators Boseman; and Bingham:

**S.J.R. 1969**, A JOINT RESOLUTION AUTHORIZING THE 2008 REGULAR SESSION OF THE 2007 GENERAL ASSEMBLY TO CONSIDER AN ACT TO MODERNIZE THE RECORD KEEPING OF PRECIOUS METALS PURCHASES BY DEALERS AND TO SUBJECT ALL DEALERS IN PRECIOUS METALS TO THE SAME LICENSING AND RECORD-KEEPING REQUIREMENTS BY REPEALING THE "TEN PERCENT OR LESS OF PURCHASES" EXEMPTION FROM DEALER PERMITTING AND REGULATION.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Swindell:

**S.B. 1970**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE CITY'S HISTORIC DISTRICT.

Referred to the **State & Local Government Committee**.

By Senator Swindell:

**S.B. 1971**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS.

Referred to the **State & Local Government Committee**.

By Senator Swindell:

**S.B. 1972**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT SCHOOL SCIENCE COMPETITIONS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Atwater, Bingham, Goss, Malone, Queen, Stevens and Weinstein:

**S.B. 1973**, A BILL TO BE ENTITLED AN ACT TO PROVIDE REVOLVING FUNDS FOR THE FARM TO SCHOOL PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Apodaca, Atwater, Bingham, Brown, Foriest, Goss, Jenkins, Jones, Preston, Queen, Soles and Tillman:

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**S.B. 1974**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PROGRAMS AND SERVICES OF COMMUNITIES IN SCHOOLS OF NORTH CAROLINA, INC., AND FOR TWO PERFORMANCE LEARNING CENTERS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1975**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE TO ESTABLISH AN INTERACTIVE 3-D CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Soles:

**S.B. 1976**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX.

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 1977**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF LELAND TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION.

Referred to the **Finance Committee**.

By Senator Dalton:

**S.B. 1978**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE MAXIMUM SPECIAL ASSISTANCE RATE IN ADULT CARE HOMES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dalton:

**S.B. 1979**, A BILL TO BE ENTITLED AN ACT AUTHORIZING COMMUNITY COLLEGES TO REALLOCATE STATE FUNDS APPROPRIATED FOR CAPITAL PROJECTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Cowell; and Bingham:

**S.B. 1980**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY.

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Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Rand; and Preston:

**S.B. 1981**, A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

Referred to the **Education/Higher Education Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 1982**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT NOTICE BE PROVIDED OF THE PENDING CLOSURE OF ANY RESIDENTIAL FACILITY THAT PROVIDES CARE AND TREATMENT TO AN INDIVIDUAL WHO WAS CHARGED WITH A VIOLENT CRIME, FOUND INCAPABLE OF PROCEEDING TO TRIAL, AND INVOLUNTARILY COMMITTED AND TO ASSURE THAT THE APPROPRIATE CONTINUITY OF CARE IS MAINTAINED FOR THE INDIVIDUAL.

Referred to the **Judiciary I Committee**.

By Senators Rand; and Preston:

**S.B. 1983**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE BENEFITS PAID TO STUDENTS ATTENDING STATE EDUCATIONAL INSTITUTIONS ON SCHOLARSHIPS FOR CHILDREN OF WAR VETERANS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goodall:

**S.B. 1984**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE IDLEWILD, MINT HILL, MATTHEWS, AND ROBINSON VOLUNTEER FIRE DEPARTMENTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Goodall; Atwater, Brunstetter, East, Hunt, Shaw, Smith and Tillman:

**S.B. 1985**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COVENANT PRISON MINISTRIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Goodall:

**S.B. 1986**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY FOR A TERM OF MORE THAN TEN YEARS.

Referred to the **State & Local Government Committee**.

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By Senator Forrester:

**S.J.R. 1987**, A JOINT RESOLUTION TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE DESIRABILITY OF ENCOURAGING THE OFFSHORE DRILLING EXPLORATION FOR OIL OR NATURAL GAS IN COASTAL WATERS WITHIN THE STATE'S JURISDICTION AND WHETHER TO URGE THE UNITED STATES CONGRESS TO PASS LEGISLATION TO LIFT THE FEDERAL MORATORIA ON THE OFFSHORE DRILLING EXPLORATION FOR OIL OR NATURAL GAS IN WATERS WITHIN FEDERAL JURISDICTION.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Berger of Franklin; Albertson, Bingham, Boseman, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Graham, Hartsell, Hoyle, Jenkins, Jones, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Shaw, Snow, Swindell and Weinstein:

**S.B. 1988**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO BURN A CROSS OR HANG A NOOSE FOR THE INTENT OF INTIMIDATING ANOTHER PERSON BECAUSE OF RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN AND TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.

Referred to the **Judiciary II Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Preston:

**S.B. 1989**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY.

Referred to the **State & Local Government Committee**.

By Senator Preston:

**S.B. 1990**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TOWN OF BEAUFORT'S THREE HUNDREDTH ANNIVERSARY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Preston:

**S.B. 1991**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER, INC., TO BE USED FOR SEWER PROJECTS IN THE TOWN OF COVE CITY IN CRAVEN COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Dannelly; Bingham, Jones, Malone, Preston, Stevens and Tillman:

**S.B. 1992**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR TEXTBOOKS AND TO MODIFY THE

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TEXTBOOK FUNDING FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Dannelly, Hartsell; Jones, Malone, Preston, Queen, Stevens, Tillman and Weinstein:

**S.B. 1993**, A BILL TO BE ENTITLED AN ACT DIRECTING THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS TO EXTEND ITS REVIEW OF PUBLIC SCHOOL FUNDING, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Swindell, Dannelly, Hartsell; Bingham, Jones, Malone, Preston, Queen, Stevens, Tillman and Weinstein:

**S.B. 1994**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR MENTORING SERVICES FOR TEACHERS AND TO MODIFY THE MANNER IN WHICH THESE FUNDS MAY BE USED, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Dannelly, Hartsell; Bingham, Jones, Malone, Preston, Queen, Tillman and Weinstein:

**S.B. 1995**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE LOW-WEALTH SCHOOL FUNDING FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; and Jones:

**S.J.R. 1996**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES.

Placed on the Calendar for Thursday, May 29.

By Senators Swindell; and Jones:

**S.B. 1997**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCESS BY WHICH THE NORTH CAROLINA MEMBERS OF THE ROANOKE RIVER BASIN ADVISORY COMMISSION ARE APPOINTED, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

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By Senator Clodfelter:

**S.B. 1998**, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 130A OF THE GENERAL STATUTES TO DEFINE LODGING ESTABLISHMENTS, TO REGULATE SINGLE-ROOM OCCUPANCY, AND TO INCREASE THE MINIMUM SCORE FOR GRADING OF LODGING ESTABLISHMENTS AND APPROPRIATING FUNDS FOR THAT PURPOSE; AUTHORIZING CITIES AND COUNTIES TO REGULATE SINGLE-ROOM OCCUPANCY FACILITIES; ESTABLISHING FEES FOR THE INSPECTION OF LODGING ESTABLISHMENTS; PROVIDING GOOD FAITH IMMUNITY TO INNKEEPERS WHO ASSIST LAW ENFORCEMENT PERSONNEL IN CRIMINAL INVESTIGATIONS; AND MAKING CONFORMING CHANGES.

Referred to the **Commerce, Small Business and Entrepreneurship Committee** and upon a favorable report, re-referred to the **Finance Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Kerr, Stevens; and Bingham:

**S.B. 1999**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF NORTH CAROLINA STATE UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Kerr:

**S.B. 2000**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP A NATIVE AMERICAN CULTURAL CENTER IN WAYNE COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Kerr:

**S.B. 2001**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DESIGN AND TO CONSTRUCT A NEW REGIONAL AGRICULTURAL CENTER FACILITY TO BE LOCATED IN WAYNE COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow; Apodaca, Berger of Franklin, Bingham, Brock, Dalton, Hagan, Hoyle, Queen and Tillman:

**S.B. 2002**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYERS IN THIS STATE USE THE FEDERAL E-VERIFY PROGRAM OR A SIMILAR VERIFICATION OF WORK AUTHORIZATION PROGRAM; AND TO APPROPRIATE FUNDS TO ESTABLISH AND SUPPORT A POSITION TO ASSIST IN THE IMPLEMENTATION AND EXECUTION OF THIS ACT.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Snow; Bingham, Queen, Rand and Weinstein:

**S.B. 2003**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Snow; Atwater, Nesbitt, Queen and Shaw:

**S.B. 2004**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHILD WELFARE COLLABORATIVE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Purcell:

**S.B. 2005**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS.

Referred to the **State & Local Government Committee**.

By Senator Snow:

**S.B. 2006**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE EARLIEST DATE ON WHICH A SALES AND USE TAX RATE CHANGE MAY BECOME EFFECTIVE.

Referred to the **Finance Committee**.

By Senators Nesbitt; and Snow:

**S.B. 2007**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DEFERRED RETIREMENT OPTION PLAN FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

By Senators Nesbitt; Atwater, Bingham and Purcell:

**S.B. 2008**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE APPEALS PROCESS FOR MEDICAID RECIPIENTS AND PROVIDERS APPEALING DEPARTMENT OF HEALTH AND HUMAN SERVICES DECISIONS PERTAINING TO ELIGIBILITY AND SERVICES UNDER THE MEDICAID PROGRAM.

Referred to the **Judiciary I Committee**.

By Senators Stevens, Hartsell; Berger of Rockingham, Bingham, Brown, Brunstetter, East, Forrester, Garrou, Malone and Swindell:

**S.B. 2009**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SCHOLARSHIPS TO CHILDREN OF NORTH CAROLINA'S FALLEN HEROES WHO ENROLL AS STUDENTS AT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA OR AT THE STATE'S COMMUNITY COLLEGES.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator East:

**S.B. 2010**, A BILL TO BE ENTITLED AN ACT TO CREATE NEW MOTOR VEHICLE TITLING AND REGISTRATION CATEGORIES FOR MOTOR VEHICLES CLASSIFIED AS CUSTOM BUILT VEHICLES, REPLICA VEHICLES, AND STREET RODS, TO REQUIRE AN ADDITIONAL THIRTY-DOLLAR REGISTRATION FEE TO SUPPORT THE DIVISION OF MOTOR VEHICLES BUREAU OF LICENSE AND THEFT MOTOR VEHICLE EXAMINATION PROGRAM, AND TO MAKE CORRESPONDING CHANGES.

Referred to the **Finance Committee**.

By Senators Swindell; Goss, Jones, Malone, Queen and Snow:

**S.B. 2011**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE FEASIBILITY OF OPERATING A LICENSED ADULT CARE HOME IN A PUBLIC HOUSING FACILITY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Swindell; Atwater, Dalton, Goss, Jones, Malone, Queen, Snow and Stevens:

**S.B. 2012**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TEACH FOR AMERICA PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell; Atwater, Bingham, Dalton, Goss, Malone, Preston, Queen, Snow and Stevens:

**S.B. 2013**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Swindell, Malone; Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Bingham, Boseman, Dorsett, Foriest, Garrou, Goodall, Goss, Hartsell, Jones, McKissick, Purcell, Queen, Shaw, Snow, Soles and Stevens:

**S.B. 2014**, A BILL TO BE ENTITLED AN ACT DIRECTING THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE STRUCTURE AND ORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Garrou; Brunstetter, Rand, Stevens and Swindell:

**S.B. 2015**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS AND TO APPROPRIATE ADDITIONAL FUNDING FOR THE SCHOOL OF THE ARTS.

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Referred to the **Education/Higher Education Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Garrou; Dorsett, Malone and Swindell:

**S.B. 2016**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE GRADUATE STUDENTS IN THE HORTICULTURAL PROGRAM AT NORTH CAROLINA STATE UNIVERSITY WITH THE OPPORTUNITY TO PERFORM FIELDWORK IN THE COASTAL REGION OF THE STATE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Garrou, Dannelly and Albertson:

**S.B. 2017**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Garrou, Hagan, Rand, Stevens, Tillman, Queen, Hartsell, Preston; Atwater, Boseman, Brown, Nesbitt and Purcell:

**S.B. 2018**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE NORTH CAROLINA PTA PARENTAL INVOLVEMENT INITIATIVE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Berger of Rockingham; Allran, Bingham, Brock, Brunstetter, Forrester, Hunt, Jacumin and Smith:

**S.B. 2019**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ILLEGAL ALIENS FROM ATTENDING NORTH CAROLINA COMMUNITY COLLEGES AND APPROPRIATING FUNDS FOR THE VERIFICATION OF PROSPECTIVE STUDENTS' IMMIGRATION STATUS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Snow:

**S.B. 2020**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FLOODPLAIN MAPPING TRUST FUND.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Foriest; and Berger of Rockingham:

**S.B. 2021**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FIFTY-DOLLAR SURCHARGE ON LAWYER MEMBERSHIP FEES THAT FUNDS THE PUBLIC CAMPAIGN FUND.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Hartsell; Bingham and Brock:

**S.B. 2022**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

NORTH CAROLINA FOR THE NORTH CAROLINA RESEARCH CAMPUS AT KANNAPOLIS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hartsell; Bingham and Brock:

**S.B. 2023**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA RESEARCH CAMPUS IN KANNAPOLIS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Brown:

**S.B. 2024**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COSTS OF CONSTRUCTING A FORESTRY HEADQUARTERS IN JONES COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Brown:

**S.B. 2025**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF NORTH TOPSAIL BEACH WITH ITS EMERGENCY BEACH NOURISHMENT PROJECT.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Brown; Atwater, Brunstetter, Garrou, Goodall, Jacumin, Pittenger, Preston, Smith, Stevens, Swindell and Tillman:

**S.B. 2026**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THREE PILOT CAREER AND TECHNICAL HIGH SCHOOLS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton; and Rand:

**S.B. 2027**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LOCAL GOVERNMENT THAT HAS BEEN SUBMITTING PREMIUM PAYMENTS FOR ITS EMPLOYEES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES IS NOT LIABLE FOR CONTRIBUTIONS OWING TO THE STATE RETIREMENT SYSTEM FOR A SPECIFIED PERIOD.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Brock; Blake, East, Hunt and Tillman:

**S.B. 2028**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COVERAGE FOR ABORTIONS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

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By Senator Brock:

**S.J.R. 2029**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RESTRICT VOTER REGISTRATION FORMS AND BALLOTS TO THE ENGLISH LANGUAGE EXCEPT AS REQUIRED BY FEDERAL LAW; AND TO LIMIT THE ROLE OF POLITICAL PARTIES IN CAMPAIGN FUND-RAISING.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Weinstein; and Bingham:

**S.B. 2030**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE FUNDING FOR INCREASED CAPACITY FOR THE TREATMENT OF MALE INMATES WITH DRUG AND ALCOHOL ADDICTION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dorsett, Berger of Franklin; Atwater, Boseman, Cowell, Foriest, Jenkins, Kinnaird, Malone, McKissick, Nesbitt, Queen, Shaw and Snow:

**S.B. 2031**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO PROVIDE STATE EMPLOYEES AND PUBLIC SCHOOL CENTRAL OFFICE AND NONCERTIFIED PERSONNEL WITH A LEGISLATIVE PAY INCREASE OF SEVEN PERCENT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Garrou:

**S.B. 2032**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WINSTON-SALEM URBAN LEAGUE COMMUNITY ENHANCEMENT COLLABORATIVE WHICH IS A COLLABORATIVE PARTNERSHIP BETWEEN WINSTON-SALEM STATE UNIVERSITY AND WINSTON-SALEM URBAN LEAGUE THAT FOCUSES ON COMMUNITY OUTREACH PROGRAMS IN THE REGION.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Weinstein, Hagan; Albertson, Atwater, Berger of Rockingham, Bingham, Brock, Brunstetter, Clodfelter, Cowell, Dalton, Garrou, Goss, Jacumin, Purcell, Rand, Shaw, Soles and Stevens:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Weinstein; Albertson, Atwater, Bingham, Dalton, Garrou, McKissick and Soles:

**S.B. 2034**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER, INC., TO SUPPORT THE SCIENCE, EDUCATION, AND TRAINING PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Weinstein; Atwater and Preston:

**S.B. 2035**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO NORTH CAROLINA STATE UNIVERSITY FOR THE NORTH CAROLINA SEA GRANT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Weinstein; Albertson, Atwater, Bingham, Dalton, Garrou, Jacumin, McKissick and Soles:

**S.B. 2036**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR ITS LOAN PROGRAM INITIATIVE IN ORDER TO EXPAND THE BIOTECHNOLOGY INDUSTRIAL SECTOR OF THE NORTH CAROLINA ECONOMY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater, Bingham and Dorsett:

**S.B. 2037**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO EXPAND THE SCHIZOPHRENIA TREATMENT AND EVALUATION PROGRAM (STEP) PROGRAM IN THE DEPARTMENT OF PSYCHIATRY AT THE UNC SCHOOL OF MEDICINE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Purcell:

**S.B. 2038**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COSTS OF CONSTRUCTING A FORESTRY HEADQUARTERS BUILDING IN RICHMOND COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; Atwater and Bingham:

**S.B. 2039**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE ASSISTANCE TO COMMUNITY RESOURCE COUNCILS AT PRISON UNITS THROUGHOUT THE STATE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Purcell; and Tillman:

**S.B. 2040**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MONTGOMERY COUNTY TO BE USED TO IDENTIFY AND TO ADDRESS WELLS CONTAMINATED WITH PESTICIDES THAT ARE LOCATED IN MONTGOMERY COUNTY OR THAT EXTEND INTO AN ADJOINING COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Purcell; and Bingham:

**S.B. 2041**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CANCER DRUG, SUPPLIES, AND MEDICAL DEVICE REPOSITORY PROGRAM IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson; Atwater, Jenkins, Purcell and Soles:

**S.B. 2042**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM TO PROVIDE FINANCING FOR THE IMPROVEMENT AND DEVELOPMENT OF MIGRANT FARM LABOR HOUSING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Albertson; Dorsett, Goss, Hoyle, Jenkins, Preston, Purcell, Queen and Soles:

**S.B. 2043**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING FOR THE WATERFRONT ACCESS AND THE MARINE INDUSTRY FUND.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 2044**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PRESERVATION OF THE CSS NEUSE, A CIVIL WAR-ERA IRONCLAD GUNBOAT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF KENANSVILLE.

Referred to the **Finance Committee**.

By Senators Dannelly, Graham, Dorsett, Forrester, Hartsell, Malone; and Clodfelter:

**S.B. 2046**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ONE NORTH CAROLINA FUND TO PROVIDE FINANCIAL ASSISTANCE TO JOHNSON & WALES UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dannelly; Jones and Swindell:

**S.B. 2047**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR DISADVANTAGED STUDENT SUPPLEMENTAL FUNDING.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dannelly; and Jones:

**S.B. 2048**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ARTHRITIS PROGRAM IN MECKLENBURG COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Dannelly; Jones and Purcell:

**S.B. 2049**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF BARBER EXAMINERS TO ESTABLISH AND IMPLEMENT A MOBILE BARBERSHOPS PILOT PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Albertson:

**S.B. 2050**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ONE MILLION DOLLARS FOR THE PLANTING OF SEEDLING TREES IN THE RIGHTS-OF-WAY ON STATE HIGHWAYS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Malone:

**S.B. 2051**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN OPTIONAL SCHOLARSHIP FOR CERTAIN GRADUATES OF THE PRINCIPAL FELLOWS PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Brown:

**S.B. 2052**, A BILL TO BE ENTITLED AN ACT AUTHORIZING UNITED STATES DEPARTMENT OF DEFENSE CERTIFIED CHILD CARE FACILITIES TO BE LICENSED BY THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND ALLOWING DEPARTMENT OF DEFENSE CERTIFIED CHILD CARE FACILITIES TO PARTICIPATE IN THE STATE SUBSIDIZED CHILD CARE PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dalton:

**S.B. 2053**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A TWO HUNDRED FIFTY-TWO BED DORMITORY, KITCHEN, ADMINISTRATION BUILDING, AND GATEHOUSE AT THE CLEVELAND CORRECTIONAL CENTER.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dorsett:

**S.B. 2054**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO PLAN, DESIGN, AND CONSTRUCT A JOINT PRIMARY DATA CENTER THAT IS A COLLABORATIVE PROJECT OF NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators McKissick; Albertson, Atwater, Berger of Franklin, Bingham, Boseman, Dorsett, Foriest, Garrou, Goss, Hoyle, Jenkins, Jones, Kinnaird, Nesbitt, Purcell, Queen, Shaw and Snow:

**S.B. 2055**, A BILL TO BE ENTITLED AN ACT CREATING THE STATE GOVERNMENT EMPLOYMENT PAY EQUITY STUDY COMMISSION AND APPROPRIATING FUNDS FOR THAT PURPOSE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators McKissick; Atwater, Berger of Franklin, Bingham, Boseman, Dorsett, Foriest, Garrou, Goss, Hoyle, Jenkins, Jones, Kinnaird, Nesbitt, Purcell, Shaw, Swindell and Weinstein:

**S.B. 2056**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators McKissick; Atwater, Berger of Franklin, Bingham, Dorsett, Foriest, Goss, Hoyle, Jenkins, Jones, Kinnaird, Nesbitt, Purcell and Shaw:

**S.B. 2057**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF DURHAM FOR PLANNING AND PRELIMINARY DESIGN OF A MINOR LEAGUE BASEBALL MUSEUM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Graham; and Dannelly:

**S.B. 2058**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO JOHNSON C. SMITH UNIVERSITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Graham; Berger of Rockingham, Brock, Brunstetter, Cowell, Goodall, Hunt, Malone, Preston and Snow:

**S.B. 2059**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR PART OF THE EXPENSE OF AVOIDED PUBLIC EDUCATION FOR CHILDREN WITH SPECIAL NEEDS WHO REQUIRE SPECIAL EDUCATION AND RELATED SERVICES OUTSIDE THE REGULAR CLASSROOM AND TO AUTHORIZE COUNTIES TO APPROPRIATE FUNDS FOR THESE CHILDREN EDUCATED OTHER THAN IN PUBLIC SCHOOLS.

Referred to the **Finance Committee**.

By Senator Bingham:

**S.J.R. 2060**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN

ACT REWRITING THE LAWS REGULATING SANITARIANS AND AUTHORIZING THE STATE BOARD OF SANITARIAN EXAMINERS TO INCREASE CERTAIN FEES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Preston:

**S.B. 2061**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE TERCENTENARY CELEBRATION OF THE CITY OF NEW BERN.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hoyle:

**S.B. 2062**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE APPLICABILITY THRESHOLD FOR MANDATORY MONTHLY PREPAYMENT OF THE FOLLOWING MONTH'S SALES AND USE TAX LIABILITY.

Referred to the **Finance Committee**.

By Senators Hoyle; Albertson, Allran, Atwater, Berger of Rockingham, Bingham, Boseman, Brock, Dalton, Garrou, Goss, Hunt, Jacumin, Jenkins, McKissick, Preston, Purcell, Queen, Smith, Snow, Soles, Stevens, Swindell and Tillman:

**S.B. 2063**, A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE TO CHARGE FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

Referred to the **Judiciary I Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators Hoyle; and Bingham:

**S.B. 2064**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO APPROPRIATE FUNDS FOR THAT PURPOSE, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEY'S FEES.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Hoyle; Bingham and Forrester:

**S.B. 2065**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OPERATIONS AND EQUIPMENT AT THE NORTH CAROLINA CENTER FOR APPLIED TEXTILE TECHNOLOGY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Kinnaird:

**S.B. 2066**, A BILL TO BE ENTITLED AN ACT TO REALLOCATE THREE MONTHS FROM THE MINIMUM SENTENCE OF CLASSES B1 THROUGH E TO THE MAXIMUM SENTENCE, AND TO INCREASE THE PERIOD OF POST-RELEASE SUPERVISION FROM NINE MONTHS TO TWELVE MONTHS.

Referred to the **Judiciary I Committee**.

By Senator Kinnaird:

**S.B. 2067**, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE PRIOR RECORD LEVEL POINT RANGES IN ORDER TO EXPAND THE POINTS IN PRIOR RECORD LEVEL I AND TO EVEN OUT THE REMAINING RANGES.

Referred to the **Judiciary I Committee**.

By Senator Kinnaird:

**S.B. 2068**, A BILL TO BE ENTITLED AN ACT TO MAKE THE INCREASE IN SENTENCE LENGTHS BETWEEN PRIOR RECORD LEVELS MORE PROPORTIONATE USING A SET PERCENTAGE INCREMENT.

Referred to the **Judiciary I Committee**.

By Senators Jacumin, Allran, Forrester and Swindell:

**S.B. 2069**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Brown; and Preston:

**S.B. 2070**, A BILL TO BE ENTITLED AN ACT AUTHORIZING UNITED STATES DEPARTMENT OF DEFENSE CERTIFIED CHILD CARE FACILITIES TO BE LICENSED BY THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND ALLOWING DEPARTMENT OF DEFENSE CERTIFIED CHILD CARE FACILITIES TO PARTICIPATE IN THE STATE SUBSIDIZED CHILD CARE PROGRAM.

Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senators Hagan and Dorsett:

**S.B. 2071**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

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NORTH CAROLINA FOR EQUIPMENT AND TO COVER OTHER NONRECURRING EXPENSES FOR THE JOINT SCHOOL OF NANOSCIENCE AND NANOENGINEERING ON THE CAMPUS OF THE GATEWAY UNIVERSITY RESEARCH PARK OF NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Hagan; Bingham and Dorsett:

**S.B. 2072**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A "SUPPORT SOCCER" SPECIAL REGISTRATION PLATE FOR THE NORTH CAROLINA SOCCER HALL OF FAME, INC.

Referred to the **Finance Committee**.

By Senator Kinnaird:

**S.B. 2073**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT.

Referred to the **State & Local Government Committee**.

By Senators Kinnaird; Bingham and Dorsett:

**S.B. 2074**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OUR CHILDREN'S PLACE.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Berger of Franklin:

**S.B. 2075**, A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION.

Referred to the **Finance Committee**.

By Senator Berger of Franklin:

**S.B. 2076**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH CARE PROVIDERS AUTHORIZED TO WRITE SCHEDULE II AND ALL MEDICAID PRESCRIPTIONS FOR CERTAIN CONTROLLED SUBSTANCES TO USE A STATE-PROVIDED SECURE PRESCRIPTION PAD, TO REQUIRE PHARMACISTS TO FILL ONLY THOSE SCHEDULE II AND ALL MEDICAID PRESCRIPTIONS WRITTEN ON STATE-PROVIDED SECURE PRESCRIPTION PADS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PURCHASE OF SOFTWARE AND SERVICES TO IMPLEMENT THIS ACT.

Referred to the **Appropriations/Base Budget Committee**.

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By Senators Jenkins; and Bingham:

**S.B. 2077**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDING TO NORTH CAROLINA STATE UNIVERSITY FOR MARINE FISH STOCK ASSESSMENTS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 2078**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE COMBINED MOTOR VEHICLE REGISTRATION RENEWAL AND PROPERTY TAX COLLECTION SYSTEM.

Referred to the **Finance Committee**.

By Senator Rand:

**S.B. 2079**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE EVE CARSON/ABHIJIT MAHATO COMMUNITY SERVICE PROGRAM FOR STUDENTS AT PUBLIC AND PRIVATE COLLEGES AND UNIVERSITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Rand and Hagan:

**S.B. 2080**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE RECOMMENDATIONS OF THE UNC CAMPUS SAFETY TASK FORCE, TO DIRECT THE UNIVERSITY OF NORTH CAROLINA IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, THE DEPARTMENT OF COMMUNITY COLLEGES, AND NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES TO STUDY THE ISSUE OF PROVIDING QUALIFIED IMMUNITY TO HEALTH PROFESSIONALS FOR THE DISCLOSURE OF CONFIDENTIAL INFORMATION WHEN THE DISCLOSURE IS FOR THE PURPOSE OF PREVENTING OR MITIGATING HARM TO OTHERS, AND TO MAKE IT A CRIMINAL OFFENSE TO COMMUNICATE A THREAT OF MASS VIOLENCE ON EDUCATIONAL OR COMMERCIAL PROPERTY.

Referred to the **Judiciary I Committee** and upon a favorable report, referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 2081**, A BILL TO BE ENTITLED AN ACT REQUIRING THE COURT AFTER JUDICIAL DETERMINATION OF INVOLUNTARY COMMITMENT TO REPORT THE FACT OF THE COMMITMENT TO THE NATIONAL CRIMINAL BACKGROUND SYSTEM.

Referred to the **Judiciary I Committee** and upon a favorable report, referred to the **Appropriations/Base Budget Committee**.

By Senators Dalton, Kerr; Atwater and Bingham:

**S.B. 2082**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RURAL ECONOMIC DEVELOPMENT CENTER FOR LOCAL GOVERNMENT WATER AND SEWER GRANTS AND TO

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APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR WATER AND SEWER GRANTS TO LOCAL GOVERNMENTS AND NONPROFIT WATER CORPORATIONS.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Berger of Franklin:

**S.B. 2083**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR ALLOCATION TO PSA HEALTH CARE, INC.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Atwater:

**S.B. 2084**, A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES AND USE TAX EXEMPTION FOR LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REENACT THE SALES AND USE TAX REFUND FOR LOCAL SCHOOL ADMINISTRATIVE UNITS, SO AS TO OPTIMIZE SCHOOL CONSTRUCTION FUNDING.

Referred to the **Finance Committee**.

By Senator Atwater:

**S.B. 2085**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL DISTRICT COURT JUDGE FOR DISTRICT COURT DISTRICT 14, FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND THREE VICTIM WITNESS ASSISTANTS FOR PROSECUTORIAL DISTRICT 14, AND SIX DEPUTY CLERKS AND FOUR MAGISTRATES FOR DURHAM COUNTY.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Goodall; Apodaca, Brock, East, Forrester, Hoyle, Hunt, Stevens and Tillman:

**S.B. 2086**, A BILL TO BE ENTITLED AN ACT TO IMPOSE AN EXCISE TAX ON CERTAIN LOTTERY WINNINGS AND TO PROVIDE A STIPEND FOR TEACHERS.

Referred to the **Finance Committee**.

By Senators Goodall; Apodaca, Berger of Franklin, Brock, Brunstetter, Cowell, Graham, Jacumin, Stevens and Tillman:

**S.B. 2087**, A BILL TO BE ENTITLED AN ACT TO STUDY THE FEASIBILITY OF TELEVISIONING ALL LEGISLATIVE SESSIONS AND SELECTED COMMITTEE MEETINGS.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Goodall; Allran, Apodaca, Brock, Brunstetter, Jacumin, Pittenger and Stevens:

**S.B. 2088**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE ESTATE AND GIFT TAXES.

Referred to the **Finance Committee**.

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By Senator Atwater:

**S.B. 2089**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO ESTABLISH A PILOT REGIONAL SPECIAL EDUCATION FUND TO SUPPORT MULTIDISCIPLINARY ASSESSMENT SERVICES FOR CHILDREN WITH DISABILITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Atwater; and Bingham:

**S.B. 2090**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO CONTINUE FUNDING FOR THE JUVENILE CRIME PREVENTION COUNCIL PROGRAMS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Atwater; and Bingham:

**S.B. 2091**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION TO RESTORE THE CONTINUATION FUNDS FOR THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Atwater:

**S.B. 2092**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES PROVIDE TELEPHONE EQUIPMENT AND INFRASTRUCTURE FOR COURT FACILITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Nesbitt:

**S.B. 2093**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONDUCT A SITE STUDY TO DETERMINE A LOCATION FOR THE WESTERN REGIONAL HISTORY MUSEUM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone; Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Forrester, Stevens and Swindell:

**S.B. 2094**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE FIRST TEE PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Malone; Cowell, Hunt and Stevens:

**S.B. 2095**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MULTICAMPUS CENTER FUNDS FOR WAKE TECHNICAL COMMUNITY COLLEGE.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Malone:

**S.J.R. 2096**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO EXEMPT THE SECRETARY OF STATE FROM CERTAIN INFORMATION TECHNOLOGY MANAGEMENT AUTHORITY OF THE OFFICE OF INFORMATION TECHNOLOGY SERVICES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Cowell:

**S.B. 2097**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EARNED INCOME TAX CREDIT TO FIVE PERCENT.

Referred to the **Finance Committee**.

By Senators Bingham; Forrester, Jacumin, Malone, Stevens, Swindell and Weinstein:

**S.J.R. 2098**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO ALLOW MORE FLEXIBILITY IN APPOINTMENTS MADE TO THE NORTH CAROLINA AUCTIONEERS COMMISSION UNDER THE LAWS REGULATING AUCTIONS AND AUCTIONEERS.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Jacumin; and Bingham:

**S.B. 2099**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OUTDOOR DRAMA, "FROM THIS DAY FORWARD."

Referred to the **Appropriations/Base Budget Committee**.

By Senator Hoyle:

**S.B. 2100**, A BILL TO BE ENTITLED AN ACT RELATING TO ADMINISTRATION OF THE STATE TREASURER'S INVESTMENT PROGRAMS.

Referred to the **Finance Committee**.

By Senator Clodfelter:

**S.J.R. 2101**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL VEHICLES BEING SOLD TO OR PURCHASED BY A SECONDHAND SCRAP METAL DEALER TO HAVE A TITLE FOR ANY VEHICLE BEFORE SUCH A SALE OR TRANSACTION MAY TAKE PLACE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Clodfelter:

**S.B. 2102**, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE CLERK OF THE SUPREME COURT AND THE CLERK OF THE COURT OF APPEALS AS MEMBERS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.

Referred to the **Appropriations/Base Budget Committee**.

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By Senator Clodfelter:

**S.B. 2103**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE BUDGET ACT TO PROVIDE FOR THE BUDGETARY INDEPENDENCE OF THE JUDICIAL BRANCH.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 2104**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE HEALTH OF EMPLOYEES OF POULTRY PROCESSING PLANTS BY AUTHORIZING THE STATE HEALTH DIRECTOR TO INSPECT THE PLANTS AND APPROPRIATING FUNDS FOR THAT PURPOSE.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 2105**, A BILL TO BE ENTITLED AN ACT TO REFLECT THE INDEPENDENCE OF THE JUDICIAL DEPARTMENT IN STATE BUDGET OPERATIONS, TO AUTHORIZE THE JUDICIAL DEPARTMENT TO CONDUCT POSITION MANAGEMENT TO ALLOW FOR THE MOST EFFECTIVE AND EFFICIENT OVERALL OPERATION OF THE COURTS, AND TO ENSURE THE FISCAL INTEGRITY AND ACCOUNTABILITY OF THE JUDICIAL BRANCH OF GOVERNMENT.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 2106**, A BILL TO BE ENTITLED AN ACT TO CLARIFY SALES AND USE TAX REFUNDS FOR NONPROFIT ENTITIES.

Referred to the **Finance Committee**.

By Senator Clodfelter:

**S.B. 2107**, A BILL TO BE ENTITLED AN ACT TO ADD A STATE FACILITIES FEE TO COURT COSTS AND CREATE A JUDICIAL DEPARTMENT FACILITIES FEE RESERVE FUND FOR THE USE OF STATE COURT FACILITIES.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Clodfelter; and Atwater:

**S.B. 2108**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF JUSTICE AND PRESERVE THE QUALITY OF THE JUDICIARY BY IMPROVING SALARIES AND ESTABLISHING AN EQUITABLE SALARY STRUCTURE FOR JUDICIAL OFFICIALS.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Preston; Brown, Foriest and Jacumin:

**S.B. 2109**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS

TO PROVIDE INDIGENTS WITH FUNERAL AND BURIAL SERVICES.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dorsett:

**S.J.R. 2110**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES.

Referred to the **Rules and Operations of the Senate Committee**.

By Senators Kinnaird; Atwater, Berger of Franklin, Cowell, Hartsell, Nesbitt and Rand:

**S.B. 2111**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MEDIATION NETWORK OF NORTH CAROLINA.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Clodfelter:

**S.B. 2112**, A BILL TO BE ENTITLED AN ACT TO EXEMPT OCEAN MARINE PREMIUMS FROM THE INSURANCE GROSS RECEIPTS TAX.

Referred to the **Finance Committee**.

By Senator Clodfelter:

**S.B. 2113**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE SALES TAX REFUND FOR SALES AND USE TAXES PAID BY AN INTERSTATE PASSENGER AIR CARRIER.

Referred to the **Finance Committee**.

By Senators Queen; Apodaca, Atwater, Dorsett, Goss, Malone, Snow and Swindell:

**S.B. 2114**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE A+ SCHOOLS PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Queen; Atwater, Berger of Franklin, Bingham, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hartsell, Hoyle, Kinnaird, McKissick, Nesbitt, Purcell, Rand, Shaw, Snow, Soles, Stevens, Tillman and Weinstein:

**S.B. 2115**, A BILL TO BE ENTITLED AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE FORECLOSURES AND TO APPROPRIATE FUNDS TO ENHANCE HOUSING COUNSELING IN THIS STATE, PREVENT FORECLOSURES OF SUBPRIME LOANS, STIMULATE THE HOUSING MARKET, AND PROVIDE CONTINUED SUPPORT OF THE HOUSING FINANCE AGENCY.

Referred to the **Appropriations/Base Budget Committee**.

May 28, 2008

By Senators Nesbitt; and Bingham:

**S.B. 2116**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO TAKE CERTAIN ACTIONS TO ADDRESS OVERBUDGETED EXPENDITURES FOR THE COMMUNITY SUPPORTS PROGRAM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Nesbitt; and Bingham:

**S.B. 2117**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS.

Referred to the **Health Care Committee** and upon a favorable report, re-referred to the **Finance Committee**.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

**S.B. 1480** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, May 29.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1657**, A BILL TO BE ENTITLED AN ACT TO REVERSE THE INTERPRETATION OF THE DEPARTMENT OF REVENUE CONCERNING THE IMPOSITION OF SALES TAX ON INTERIOR DESIGN SERVICES PROVIDED IN CONJUNCTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY, with a favorable report.

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**S.B. 1703**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY PURCHASED WITH A CLIENT ASSISTANCE DEBIT CARD ISSUED FOR DISASTER ASSISTANCE RELIEF BY A STATE AGENCY OR A FEDERAL AGENCY OR INSTRUMENTALITY, with a favorable report.

**S.B. 1745**, A BILL TO BE ENTITLED AN ACT TO TREAT A PERSON WHO REPAIRS AND REFURBISHES INDUSTRIAL MACHINERY THE SAME AS A MANUFACTURER OF THE MACHINERY FOR SALES TAX PURPOSES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85467, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:04 P.M.

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**ONE HUNDRED AND TWENTY-FOURTH DAY**

Senate Chamber  
Thursday, May 29, 2008

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

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

"Dear Lord, the 118th Psalm says, 'This is the day which the Lord has made.' Help us not to waste it. It is our life we're wasting. Don't let us look the other way because it may be the moment we've always waited for that we're missing. Other days are gone or have not yet emerged. Today is your gift to us. Help us to make the most of it. In your holy name we pray. Amen."

The Chair grants leaves of absence for today to Senator Dalton, Senator Dannelly, Senator Graham and Senator Hagan.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, May 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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*The Chair extends privileges of the floor to Dr. Barry Ostrow from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Nancy Corliss from Granite Falls, North Carolina, who is serving the Senate as Nurse of the Day.*

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1753**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35592, is adopted and engrossed.

Upon motion of Senator Nesbitt, the Committee Substitute bill is re-referred to the **Finance Committee**.

**S.B. 1766**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35590, is adopted and engrossed.

**S.B. 1799**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55706, is adopted and engrossed.

Upon motion of Senator Nesbitt, the Committee Substitute bill is re-referred to the **Finance Committee**.

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

**S.B. 1756**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85468, which changes the title to read **S.B. 1756** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE AND TO ELIMINATE THE TAX ON TRANSFERRING PROPERTY WHILE LIVING BY REPEALING THE GIFT TAX, is adopted and engrossed.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.J.R. 1996**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES.

Upon motion of Rand, the joint resolution is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 1.

**S.B. 1579**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

*Without objection, Senator Brunstetter requests to be excused from voting on the bill due to a conflict of interest.*

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1597**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION.

*Without objection, Senator Brunstetter requests to be excused from voting on the bill due to a conflict of interest.*

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1657**, A BILL TO BE ENTITLED AN ACT TO REVERSE THE INTERPRETATION OF THE DEPARTMENT OF REVENUE CONCERNING THE IMPOSITION OF SALES TAX ON INTERIOR

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DESIGN SERVICES PROVIDED IN CONJUNCTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1703**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY PURCHASED WITH A CLIENT ASSISTANCE DEBIT CARD ISSUED FOR DISASTER ASSISTANCE RELIEF BY A STATE AGENCY OR A FEDERAL AGENCY OR INSTRUMENTALITY.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1745** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TREAT A PERSON WHO REPAIRS AND REFURBISHES INDUSTRIAL MACHINERY THE SAME AS A MANUFACTURER OF THE MACHINERY FOR SALES TAX PURPOSES.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1480** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, the Senate concurs in the House Committee Substitute bill (44-1) and the bill is ordered enrolled and sent to the Governor.

#### **ADDITIONAL SPONSORS**

Senator Boseman requests to be added as a sponsor of previously introduced legislation:

**S.B. 1623**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA OSTEOPOROSIS EDUCATION PROGRAM.

**S.B. 1695**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO PROVIDE DIRECTION FOR THE OPERATION OF SEMITRAILERS OF NOT MORE THAN FIFTY-THREE FEET ON PRIMARY ROADS IN THIS STATE; TO INCREASE THE ALLOWABLE AXLE AND TOTAL WEIGHT OF SELF-PROPELLED, SELF-LOADING BEDS FOR COTTON TRANSPORT FROM FARM TO GIN, REGARDLESS OF AXLE WEIGHT; TO REMOVE THE

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WIDTH RESTRICTION ON FARM EQUIPMENT THAT IS SELF-PROPELLED, HAULED, OR PULLED ON A PUBLIC HIGHWAY, AND TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON THE PRIMARY HIGHWAY ROUTES DURING THE DAY AND NIGHT WITH A PERMIT AND TO INCREASE THE WIDTH OF BOATS AND TRAILERS THAT MAY BE TRANSPORTED OR HAULED ON A PRIMARY HIGHWAY ROUTE WITH A PERMIT DURING THE DAYLIGHT HOURS ONLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Senator Dalton requests to be added as a sponsor of previously introduced legislation:

**S.B. 1728**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MINORITY SUPPORT CENTER, INC., TO EXPAND ECONOMIC DEVELOPMENT LENDING AND FINANCIAL LITERACY.

**S.B. 1729**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA COMMUNITY DEVELOPMENT INITIATIVE AND THE RURAL ECONOMIC DEVELOPMENT CENTER, INC., FOR COMMUNITY-BASED HOUSING AND DEVELOPMENT ACTIVITIES.

Upon motion of Senator Basnight, seconded by Senator Swindell, the Senate adjourns subject to introduction of bills and receipt of committee reports, to meet Monday, June 2, at 7:00 P.M.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Goodall:

**S.B. 2118**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY TO THE YMCA FOR A TERM OF MORE THAN TEN YEARS.

Referred to the **State & Local Government Committee**.

By Senator Soles:

**S.B. 2119**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE COUNTY OF BRUNSWICK THE AUTHORITY TO USE THE POWER OF EMINENT DOMAIN PURSUANT TO THE CONDEMNATION PROCESS SET OUT IN ARTICLE 9 OF CHAPTER 136 OF THE GENERAL STATUTES FOR THE ACQUISITION OF LAND ON A SINGLE HIGHWAY TO BE USED FOR THE PUBLIC PURPOSE OF IMPROVING THE ROAD

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AND PROVIDING NEEDED LAND AND EASEMENTS FOR THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN THE ROAD.

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 2120**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PURCHASE OF CREDITABLE SERVICE BY MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR PERIODS OF NON-QUALIFIED PRIVATE EMPLOYMENT.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Goss:

**S.B. 2121**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMPANY POLICE OFFICERS CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES, THE COMPANY POLICE ACT, SERVING LOCAL HOSPITALS OR HOSPITAL AUTHORITIES IN ASHE AND WATAUGA COUNTIES TO HAVE JURISDICTION ON STREETS AND HIGHWAYS THAT RUN ADJACENT TO THE HOSPITAL CAMPUS LIKE THAT OF A CAMPUS POLICE OFFICER CERTIFIED PURSUANT TO CHAPTER 74G OF THE GENERAL STATUTES.

Referred to the **State & Local Government Committee**.

By Senators McKissick; and Atwater:

**S.B. 2122**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CAMPUS POLICE FOR A PRIVATE ELEMENTARY, MIDDLE, OR HIGH SCHOOL IN DURHAM COUNTY.

Referred to the **State & Local Government Committee**.

By Senators McKissick; and Atwater:

**S.B. 2123**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY.

Referred to the **State & Local Government Committee**.

By Senators McKissick; and Atwater:

**S.B. 2124**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO COLLECT A MUNICIPAL TAX FOR PUBLIC TRANSPORTATION OF TEN DOLLARS ON VEHICLES RESIDENT IN THE CITY AND TO REPEAL INCONSISTENT PROVISIONS OF THE 2003 AND 2004 SESSION LAWS.

Referred to the **Finance Committee**.

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By Senator Snow:

**S.B. 2125**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX.

Referred to the **Finance Committee**.

By Senators Brunstetter; and Garrou:

**S.B. 2126**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING ORDINANCE VIOLATIONS IN THE CITY OF WINSTON-SALEM.

Referred to the **Finance Committee**.

By Senator Swindell:

**S.B. 2127**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WILSON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S PUBLIC NUISANCE ORDINANCE.

Referred to the **State & Local Government Committee**.

By Senator Boseman:

**S.B. 2128**, A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS BY MUNICIPALITIES IN NEW HANOVER COUNTY.

Referred to the **State & Local Government Committee**.

By Senators Rand and Kinnaird:

**S.B. 2129**, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE DIRECTOR OF THE OFFICE OF INDIGENT DEFENSE SERVICES AS A MEMBER OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.

Referred to the **Pensions & Retirement and Aging Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Apodaca:

**S.B. 2130**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION.

Referred to the **State & Local Government Committee**.

By Senator Preston:

**S.B. 2131**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD EX OFFICIO MEMBERS TO THE AIRPORT AUTHORITY.

Referred to the **State & Local Government Committee**.

By Senators Dannelly; and Cowell:

**S.B. 2132**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS OF MEMBERS OF THE TEACHERS' AND STATE

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EMPLOYEES' RETIREMENT SYSTEM AND TO PROVIDE COST-OF-LIVING INCREASES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Dannelly:

**S.B. 2133**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Hartsell:

**S.B. 2134**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS.

Referred to the **State & Local Government Committee**.

By Senator Hartsell:

**S.B. 2135**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS.

Referred to the **State & Local Government Committee**.

By Senator Hartsell:

**S.B. 2136**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF CONCORD FROM STATUTORY REQUIREMENTS GOVERNING PUBLIC CONTRACTING WITH RESPECT TO THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE PROJECTS.

Referred to the **State & Local Government Committee**.

By Senator Berger of Rockingham:

**S.B. 2137**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUMMERFIELD SHALL FOLLOW THE GENERAL LAW FOR THE FILLING OF TOWN COUNCIL VACANCIES.

Referred to the **State & Local Government Committee**.

By Senator Berger of Rockingham:

**S.B. 2138**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN AMENDMENT TO THE CHARTER OF THE TOWN OF STONEVILLE

PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND MEMBERS OF THE TOWN COUNCIL.

Referred to the **State & Local Government Committee**.

By Senator Jones:

**S.B. 2139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY.

Referred to the **State & Local Government Committee**.

By Senators Dannelly; Dorsett, Foriest, Jones and Malone:

**S.B. 2140**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF FUNDS FOR THE RETIREMENT SYSTEMS DIVISION'S SERVICE AUDIT PROJECT AND FOR THE ESTABLISHMENT OF FOUR PROGRAMMER POSITIONS FOR THE RETIREMENT SYSTEMS DIVISION'S NEWLY IMPLEMENTED ORBIT SYSTEM.

Referred to the **Appropriations/Base Budget Committee**.

By Senators Dannelly; Dorsett, Foriest, Jones and Malone:

**S.B. 2141**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Dannelly; Cowell, Dorsett, Foriest, Jones and Malone:

**S.B. 2142**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND AND TO APPROPRIATE FUNDS TO REPAY THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND IN FULL.

Referred to the **Pensions & Retirement and Aging Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Jenkins:

**S.B. 2143**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL.

Referred to the **State & Local Government Committee**.

By Senator Berger of Rockingham:

**S.B. 2144**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE OFFSET IN THE SHORT-TERM AND LONG-TERM DISABILITY INCOME

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PLANS FOR BENEFITS RECEIVED FROM THE DEPARTMENT OF VETERANS AFFAIRS FOR THE SAME DISABILITY.

Referred to the **Appropriations/Base Budget Committee**.

By Senator Rand:

**S.B. 2145**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE REWRITE OF THE STATE HEALTH PLAN STATUTES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senator Rand:

**S.B. 2146**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES PERTAINING TO THE ENROLLMENT OF LOCAL GOVERNMENTS IN THE STATE HEALTH PLAN.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senator Jones:

**S.J.R. 2147**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PERMIT GARBAGE TRUCKS TO STOP ON THE PAVEMENT OF HIGHWAYS OUTSIDE MUNICIPAL LIMITS WHILE COLLECTING GARBAGE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Cowell:

**S.J.R. 2148**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE DEPARTMENT OF ADMINISTRATION NEGOTIATE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF RALEIGH TO PROVIDE FOR MUTUAL CONSULTATION REGARDING RALEIGH'S MASTER PLAN.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Brock:

**S.B. 2149**, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW IN ROWAN COUNTY BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION, AND TO PREVENT ANY CITY LOCATED PRIMARILY OUTSIDE ROWAN COUNTY FROM ANNEXING IN ROWAN COUNTY UNDER THE NEW LAW.

Referred to the **State & Local Government Committee**.

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By Senator Brock:

**S.B. 2150**, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW IN DAVIE COUNTY BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION, AND TO PREVENT ANY CITY LOCATED PRIMARILY OUTSIDE DAVIE COUNTY FROM ANNEXING IN DAVIE COUNTY UNDER THE NEW LAW.

Referred to the **State & Local Government Committee**.

By Senator Brock:

**S.B. 2151**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF CERTAIN STATE-OWNED PROPERTY BY THE TOWN OF SPENCER.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Brock:

**S.B. 2152**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ENOCHVILLE.

Referred to the **Finance Committee**.

By Senator Brock:

**S.J.R. 2153**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY USE FORCE TO DEFEND HIMSELF OR HERSELF OR ANOTHER PERSON OR TO PREVENT THE IMMINENT COMMISSION OF A FORCIBLE FELONY.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Brock:

**S.J.R. 2154**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SPORT SHOOTING RANGE THAT RELOCATES DUE TO CERTAIN CIRCUMSTANCES IS STILL CONSIDERED TO BE CONTINUOUSLY IN EXISTENCE SINCE BEGINNING OPERATION AND NOT TO HAVE UNDERGONE A SUBSTANTIAL CHANGE IN USE.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Brock:

**S.J.R. 2155**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MURDERS A PREGNANT WOMAN SHALL BE GUILTY OF A SEPARATE OFFENSE OF MURDER IN THE RESULTING DEATH OF THE FETUS.

Referred to the **Rules and Operations of the Senate Committee**.

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By Senator Hartsell:

**S.B. 2156**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CABARRUS COUNTY WITH A MECHANISM TO FINANCE LONG-TERM INFRASTRUCTURE NEEDS WITH ASSESSMENTS.

Referred to the **Finance Committee**.

By Senator Rand:

**S.B. 2157**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY.

Referred to the **State & Local Government Committee**.

By Senator Rand:

**S.B. 2158**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE REQUIREMENTS FOR LOCAL GOVERNMENT PARTICIPATION IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

By Senator Soles:

**S.J.R. 2159**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE UNDER G.S. 105-277.8 ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS' ASSOCIATIONS.

Referred to the **Rules and Operations of the Senate Committee**.

By Senator Garrou:

**S.B. 2160**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 11:57 A.M.

**ONE HUNDRED TWENTY-FIFTH DAY**

Senate Chamber  
Monday, June 2, 2008

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

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

"Dear God, in Biblical numerology forty is a significant number. Jesus spent forty days in the wilderness fasting and praying. The flood in Noah's time was caused by forty days and nights of rain. Moses and the Israelites spent forty years wandering in the wilderness. Sunday's New and Observer featured a front page article about a man, documenting his incredible forty years of public service to the people of our State. Though the writer didn't compare this man to Jesus or Noah or Moses, it is said that people in his district call him the Godfather. In this prayer that begins our week of work in the Senate, we honor the quiet, effective statesmen-like forty years of service here in the legislature of Senator R. C. Soles. Well done, good and faithful servant. Amen."

The Chair grants leaves of absence for tonight to Senator Berger of Rockingham, Senator Cowell, Senator Hagan and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, May 29, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Conrad Flick from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Claudina Ghianni from Belmont, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1480**, AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC.

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**CALENDAR**

Bills on tonight's Calendar are taken up and disposed of, as follows:

**S.B. 1756** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE AND TO ELIMINATE THE TAX ON TRANSFERRING PROPERTY WHILE LIVING BY REPEALING THE GIFT TAX.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 3.

**S.B. 1766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**WITHDRAWAL FROM CALENDAR**

**S.J.R. 1996**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES, placed earlier on the Calendar for Tuesday, July 1.

Senator Rand offers a motion that the bill be withdrawn from the Calendar for Tuesday, July 1, and re-referred to the **Education/Higher Education Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Tuesday, July 1, and re-refers the measure to the **Education/Higher Education Committee**.

**SENATE PAGES**

The Chair recognizes the following pages serving in the Senate this week:

William Bass, Charlotte; Roman Blount, Greensboro; Brianna Bowden, Raleigh; Doug Brady, Jr., Morehead City; Sarah Grace Clark, Raleigh; Myles Cottingham, Fort Mill, South Carolina; Crystal Edwards, Charlotte; Cam Farrar, High Point; Allie Glenn, Greensboro; Alex Hardesty, Louisburg; Nathan Honaker, Raleigh; Elizabeth Moss, Youngsville; Jessie Nipp, Raleigh; Ory Owen, West Jefferson; Caroline Owings, High Point; Kevin Park, Cary; Erin Schoenbeck, Watertown, South Dakota; Lauren Toole, Belmont; Maggie Weatherly, Greensboro; Branna Williams, North Wilkesboro; and Sam Young, Greensboro.

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Upon motion of Senator Basnight, seconded by Senator Rand, the Senate adjourns at 7:18 P.M. to meet Tuesday, June 3, at 2:00 P.M.

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## ONE HUNDRED TWENTY-SIXTH DAY

Senate Chamber  
Tuesday, June 3, 2008

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

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

"Dear Lord, it's been a long time since most of us in the Senate Chamber, with the exception of our pages, have taken exams. When Senator Apodaca announced yesterday that a proctoring group would be visiting Wake County Public Schools to observe the end-of-grade process, I think I heard a collective sigh of relief in the Chamber thankful that we aren't sitting at those desks. Both groups this week, students and teachers, feel the pressure and stress related to their ability to succeed. Teaching and inspiring students to want to learn is a serious and often thankless task. So we pray today in the Senate, give the students clear communicative minds during this time of testing and give the teachers a clear, strong feeling of our appreciation for their efforts. In your holy name we pray. Amen."

The Chair grants leaves of absence for today to Senator Hagan, Senator Purcell and Senator Shaw.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Monday, June 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Susan Mims from Asheville, North Carolina, who is serving the Senate as Doctor of the Day, and to Carla Savinon from Wilmington, North Carolina, who is serving the Senate as Nurse of the Day.*

## REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

June 3, 2008

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1862**, A BILL TO BE ENTITLED AN ACT TO REMOVE A PORTION OF LAKE WACCAMAW STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW FOR BRIDGE REALIGNMENT ON BELLA COOLA ROAD, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

**S.B. 1872**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

**S.B. 1930**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
June 3, 2008

Madame President:

On Tuesday, May 27, 2008, the House of Representatives sent a message informing the Senate that the House failed to concur in the Senate Committee Substitute for **H.B. 274**, A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

Speaker Hackney has appointed: Representative Michaux, Chair, Representative Frye, Representative Walker, Representative Blue, Representative Cotham, Representative Current, Representative Carney,

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Representative Hall, and Representative Sutton to serve as conferees on the part of the House and requests conferees on the part of the Senate to confer to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
June 2, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to a Proclamation issued by Governor Michael F. Easley on June 2, 2008, Kelly M. Alexander, Jr., has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2007 General Assembly. Representative Alexander has been seated to fill the vacancy created by the resignation of the Honorable W. Pete Cunningham from the 107th House District.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 2178**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

**H.B. 2189**, A BILL TO BE ENTITLED AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE

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PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary II Committee**.

**H.B. 2287** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

**H.B. 2308**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

*Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Perdue, who presides.*

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1756** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE AND TO ELIMINATE THE TAX ON TRANSFERRING PROPERTY WHILE LIVING BY REPEALING THE GIFT TAX.

The Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Jenkins, the Senate adjourns subject to introduction of bills, receipt of messages from the House of Representatives, committee reports and appointment of conferees, to meet Wednesday, June 4, at 2:00 P.M.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

June 3, 2008

By Senators Hunt; Blake, Brock, East and Tillman:

**S.J.R. 2161**, A JOINT RESOLUTION RECOGNIZING THE SIXTIETH ANNIVERSARY OF THE SIGNING OF PUBLIC LAW 557, WHICH MADE THE CIVIL AIR PATROL THE OFFICIAL AUXILIARY OF THE UNITED STATES AIR FORCE, AND HONORING THE LIFE AND SERVICE OF CHAPLAIN ROYCE A. BEACHAM, ONE OF THE FINEST MEMBERS OF THE CIVIL AIR PATROL.

Referred to the **Rules and Operations of the Senate Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1648**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE, with a favorable report.

**S.B. 1876**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15289, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:58 P.M.

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### ONE HUNDRED TWENTY-SEVENTH DAY

Senate Chamber  
Wednesday, June 4, 2008

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

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

"Our Father, we're reminded today of a song featured in Clarence Jordan's classic book, 'The Cotton Patch Gospels', entitled, 'There Ain't No Busy Signals on the Hotline to God.' Though we know that statement to be true, sometimes

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our prayers do seem to go unanswered. When that happens, we need to pray in a different manner. Instead of asking you for so much, we should offer to do something for you. With that in mind, let your thoughts be our thoughts today, that you might do your work through our hands. Continue your ministry through our actions. Bring your healing and hope to others through our hearts. Practice your love and kindness through our caring. Doing the Word of God will surely improve our hearing. Amen."

The Chair grants leaves of absence for today to Senator Malone and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Gerald Maccioli from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Sarah Blizzard from Wilmington, North Carolina, who is serving the Senate as Nurse of the Day.*

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator East for the **State & Local Government Committee**:

**S.B. 1650**, A BILL TO BE ENTITLED AN ACT TO INCLUDE NASH COUNTY WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS, with a favorable report.

**S.B. 1828**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES, with a favorable report.

**S.B. 1970**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE CITY'S HISTORIC DISTRICT, with a favorable report.

**S.B. 1971**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS, with a favorable report.

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**S.B. 1989**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY, with a favorable report.

**S.B. 2136**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF CONCORD FROM STATUTORY REQUIREMENTS GOVERNING PUBLIC CONTRACTING WITH RESPECT TO THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE PROJECTS, with a favorable report.

**H.B. 710**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE THAT COUNCIL VACANCIES ARE FILLED UNDER GENERAL LAW, AND TO PROVIDE THAT THE MAYOR PRO TEMPORE SERVES AT THE PLEASURE OF THE CITY COUNCIL, THE SAME AS UNDER THE GENERAL LAW, with a favorable report.

**S.B. 1653**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MOUNT AIRY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55722, which changes the title to read **S.B. 1653** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, is adopted and engrossed.

**H.B. 1195** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS IN THE TOWN OF PLEASANT GARDEN, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80607, is adopted and engrossed.

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

**S.B. 1654**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, with a favorable report.

**S.B. 1748**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES, with a favorable report.

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**S.B. 1843**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH, with a favorable report.

**S.B. 1902**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

By Senator Swindell for the **Education/Higher Education Committee**:

**S.B. 1825**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY, with a favorable report.

**S.B. 2015**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS AND TO APPROPRIATE ADDITIONAL FUNDING FOR THE SCHOOL OF THE ARTS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

**S.J.R. 1996**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES, with an unfavorable report as to joint resolution, but favorable as to Committee Substitute joint resolution.

Pursuant to Rule 45.1, the proposed Committee Substitute joint resolution 65388, is adopted and engrossed.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 946** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 50976, is adopted and engrossed.

**S.B. 1793**, A BILL TO BE ENTITLED AN ACT TO CONTINUE AND EXPAND THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOME PROTECTION PROGRAM TO EVERY COUNTY IN NORTH CAROLINA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill 55723, which changes the title to read **S.B. 1793** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOME PROTECTION PROGRAM TO EVERY COUNTY IN NORTH CAROLINA AND TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY FOR THE HOME PROTECTION PROGRAM, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 1003**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 50975, which changes the title, upon concurrence, to read **H.B. 1003** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR, is adopted and engrossed.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1876** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION.

Upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 5, upon second reading.

**S.B. 1648**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan,

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Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 5, upon third reading.

**S.B. 1862**, A BILL TO BE ENTITLED AN ACT TO REMOVE A PORTION OF LAKE WACCAMAW STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW FOR BRIDGE REALIGNMENT ON BELLA COOLA ROAD, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second reading by a three-fifths majority vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill passes its third reading by a three-fifths majority vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1872**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

#### WITHDRAWAL FROM CALENDAR

**S.J.R. 1996** (Committee Substitute), A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED

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TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES, placed on the Calendar for Thursday, June 5.

Senator Rand offers a motion that the Committee Substitute joint resolution be withdrawn from the Calendar for Thursday, June 5, and placed before the Senate for immediate consideration which motion prevails with unanimous consent.

The Chair orders the Committee Substitute joint resolution withdrawn from the Calendar for Thursday, June 5, and places it before the Senate for immediate consideration.

The Committee Substitute joint resolution passes its second (47-0) and third readings and is ordered sent to the House of Representatives by special message.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 2080**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE RECOMMENDATIONS OF THE UNC CAMPUS SAFETY TASK FORCE, TO DIRECT THE UNIVERSITY OF NORTH CAROLINA IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, THE DEPARTMENT OF COMMUNITY COLLEGES, AND NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES TO STUDY THE ISSUE OF PROVIDING QUALIFIED IMMUNITY TO HEALTH PROFESSIONALS FOR THE DISCLOSURE OF CONFIDENTIAL INFORMATION WHEN THE DISCLOSURE IS FOR THE PURPOSE OF PREVENTING OR MITIGATING HARM TO OTHERS, AND TO MAKE IT A CRIMINAL OFFENSE TO COMMUNICATE A THREAT OF MASS VIOLENCE ON EDUCATIONAL OR COMMERCIAL PROPERTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15290, which changes the title to read **S.B. 2080** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE RECOMMENDATIONS OF THE UNC CAMPUS SAFETY TASK FORCE, TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA IN CONJUNCTION WITH THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES TO STUDY THE ISSUE OF PROVIDING QUALIFIED IMMUNITY TO HEALTH PROFESSIONALS FOR THE DISCLOSURE OF CONFIDENTIAL INFORMATION WHEN THE DISCLOSURE IS FOR THE PURPOSE OF PREVENTING OR MITIGATING HARM TO OTHERS, AND TO MAKE IT A CRIMINAL OFFENSE TO COMMUNICATE A THREAT OF MASS VIOLENCE ON EDUCATIONAL PROPERTY, is adopted and engrossed.

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Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 517** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR LEAVING THE SCENE OF AN ACCIDENT WHERE A VICTIM HAS SUFFERED SERIOUS BODILY INJURY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 30717, is adopted and engrossed.

Upon motion of Senator Nesbitt, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 933** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR FIRST-DEGREE SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 50973, which changes the title, upon concurrence, to read **H.B. 933** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF

PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee.**

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 274** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

Pursuant to the message from the House of Representatives received Tuesday, June 3, that the House fails to concur in the Senate Committee Substitute bill for H.B. 274 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore* announces the appointment of Senator Graham, Chair; Senator Boseman; Senator Clodfelter; Senator Hartsell; Senator Malone; Senator McKissick; Senator Nesbitt; Senator Rand; and Senator Snow as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### **ADDITIONAL SPONSORS**

Senator Goodall requests to be added as a sponsor of previously introduced legislation:

**S.B. 1705**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA EDUCATION LOTTERY TO THE NORTH CAROLINA STATE LOTTERY.

**S.B. 1756**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE.

**S.B. 1816**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

**S.B. 1838**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN EXISTING CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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**S.B. 1860**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

**S.B. 1952**, A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO HELP SMALL BUSINESSES UNDERSTAND THE COMPLEXITIES OF THE SALES AND USE TAX LAWS BY REQUIRING CONSULTATION FROM THE DEPARTMENT OF REVENUE, AND TO ALLOW ALL TAXPAYERS TO RELY ON VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE.

**S.B. 2002**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYERS IN THIS STATE USE THE FEDERAL E-VERIFY PROGRAM OR A SIMILAR VERIFICATION OF WORK AUTHORIZATION PROGRAM; AND TO APPROPRIATE FUNDS TO ESTABLISH AND SUPPORT A POSITION TO ASSIST IN THE IMPLEMENTATION AND EXECUTION OF THIS ACT.

**S.B. 2063**, A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE TO CHARGE FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

**S.B. 2064**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO APPROPRIATE FUNDS FOR THAT PURPOSE, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEY'S FEES.

Upon motion of Senator Basnight, seconded by Senator Dalton, the Senate adjourns subject to introduction of bills and receipt of committee reports, to meet Thursday, June 5, at 11:00 A.M.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

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By Senators Brunstetter; Allran, Apodaca, Berger of Rockingham, Bingham, Blake, Brown, Clodfelter, East, Forrester, Goodall, Hartsell, Hoyle, Hunt, Jacumin, Kerr, Preston, Smith, Snow, Stevens, Swindell and Tillman:

**S.J.R. 2162**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE LAW THAT MAKES INJURY TO A PREGNANT WOMAN A ONE CLASSIFICATION HIGHER OFFENSE FROM THE UNDERLYING OFFENSE TO A SEPARATE OFFENSE IF THE WOMAN IS PAST HER TWENTIETH WEEK OF PREGNANCY, AND TO INCLUDE AS AN AGGRAVATING FACTOR IN FELONY CASES THAT THE VICTIM WAS PREGNANT.

Referred to the **Rules and Operations of the Senate Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1704**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15291, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:24 P.M.

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### ONE HUNDRED TWENTY-EIGHTH DAY

Senate Chamber  
Thursday, June 5, 2008

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

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

"Dear God, as the Senate convenes on this Thursday morning, we know deep within us that in the midst of all the tasks to be accomplished, we need these few seconds of waiting upon your presence. In the midst of all the words that are

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said to us, please let us hear your word to us, too. In the midst of a culture that would shape us and mold us into its image, we often need to be reminded of who we are and of whose we are. We are yours and we go forward today with that encouragement. Thank you. Amen."

The Chair grants a leave of absence for today to Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, June 4, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Kent T. Anderson from Wilson, North Carolina, who is serving the Senate as Doctor of the Day, and to Nancy Hutchinson from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.*

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Purcell for the **Health Care Committee**:

**S.B. 1662**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF NURSING AND APPROVED BY THE RULES REVIEW COMMISSION, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

**S.B. 1770**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE DEATHS THAT OCCUR AT FACILITIES OPERATED BY OR ON BEHALF OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15292, which changes the title to read **S.B. 1770** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED AND TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS AND TO APPROPRIATE FUNDS FOR IMPLEMENTATION, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

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**S.B. 2117**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65389, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

**H.B. 724** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES IN THE PUBLIC HEALTH LAW RELATED TO THE MEDICAL EXAMINER SYSTEM, INJURY CONTROL EFFORTS, TIMELINESS OF REPORTS BY SCHOOLS REGARDING IMMUNIZATIONS, AND THE CREATION, EXTENSION, AND DISSOLUTION OF SANITARY DISTRICTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10458, which changes the title, upon concurrence, to read **H.B. 724** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO NO LONGER REQUIRE THE USE OF SOCIAL SECURITY NUMBERS ON NORTH CAROLINA CHILD SUPPORT COURT ORDERS, is adopted and engrossed.

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1631**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 946** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY.

Upon motion of Senator Hartsell, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 10.

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**S.B. 1648**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1654**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1748**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1843**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH, upon second reading.

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The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1828**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1970**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE CITY'S HISTORIC DISTRICT.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1971**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO DECLARE RESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1989**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2136**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF CONCORD FROM STATUTORY REQUIREMENTS GOVERNING PUBLIC CONTRACTING WITH RESPECT TO THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE PROJECTS.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

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**H.B. 710**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE THAT COUNCIL VACANCIES ARE FILLED UNDER GENERAL LAW, AND TO PROVIDE THAT THE MAYOR PRO TEMPORE SERVES AT THE PLEASURE OF THE CITY COUNCIL, THE SAME AS UNDER THE GENERAL LAW.

The bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 1195** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS IN THE TOWN OF PLEASANT GARDEN.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives for concurrence.

**S.B. 1650**, A BILL TO BE ENTITLED AN ACT TO INCLUDE NASH COUNTY WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

Senator Jenkins offers Amendment No. 1 which is adopted (48-0), and changes the title to read **S.B. 1650**, A BILL TO BE ENTITLED AN ACT TO INCLUDE NASH AND EDGEcombe COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

The bill, as amended, passes its second (47-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 1653** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Senator East offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 1704** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan,

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Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1876** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1902**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The bill remains on the Calendar for Monday, June 9, upon third reading.

**S.B. 1825**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY.

Upon motion of Senator Garrou, the Chair orders, without objection, the bill temporarily displaced.

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**H.B. 1003** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR.

Upon motion of Senator Hartsell, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 10.

**S.B. 1825**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 1891**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, referred to the **Transportation Committee** on Thursday, May 22.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Transportation Committee** and re-referred to the **Commerce, Small Business and Entrepreneurship Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Transportation Committee** and re-refers the measure to the **Commerce, Small Business and Entrepreneurship Committee**.

**S.B. 1716**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING, AS REQUESTED BY THE LEAGUE OF MUNICIPALITIES AND THE SOUTHEAST ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS, referred to the **Appropriations/Base Budget Committee** on Wednesday, May 21.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Finance Committee**.

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**RECONSIDERATION**

**S.B. 1653** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Having voted with the majority on third reading, Senator Rand offers a motion that the vote by which the Committee Substitute bill, as amended, passed its third reading be reconsidered, which motion prevails.

Having voted with the majority on second reading, Senator Rand offers a motion that the vote by which the Committee Substitute bill, as amended, passed its second reading be reconsidered, which motion prevails.

Having voted with the majority, Senator Rand offers a motion that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails (48-0).

Senator East withdraws Amendment No. 1.

Senator East offers Amendment No. 2 which is adopted (48-0), and changes the title to read **S.B. 1653** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, SMITHFIELD, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**ADDITIONAL SPONSORS**

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 1902**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

Upon motion of Senator Basnight, seconded by Senator Goss, the Senate adjourns subject to introduction of bills and receipt of committee reports, to meet Monday, June 9, at 7:00 P.M.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

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By Senator McKissick:

**S.J.R. 2163**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO ENACT PIPPIN'S LAW BY APPROPRIATING FUNDS TO THE SPAY/NEUTER ACCOUNT AND TRANSFERRING ADMINISTRATION OF THE VOLUNTARY SPAY/NEUTER PROGRAM TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

Referred to the **Rules and Operations of the Senate Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Atwater for the **Mental Health & Youth Services Committee**:

**S.B. 1610**, A BILL TO BE ENTITLED AN ACT TO ENACT VARIOUS LAWS TO IMPROVE THE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55725, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:07 P.M.

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### ONE HUNDRED TWENTY-NINTH DAY

Senate Chamber  
Monday, June 9, 2008

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

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

"Rather than complain about the oppressive 100-degree heat that is blanketing our State, O God, we pray tonight, thanking you for the cool

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canopied shade of stately North Carolina live oaks, for the 'take-your-breath-away cold' of a deep pool in a Blue Ridge river, for the thirst-quenching pleasure of cold, sweet tea. What we get accomplished this week depends on our attitude and our mindset. That is why we begin praying with gratitude and not complaints. Amen."

The Chair grants leaves of absence for tonight to Senator Graham, Senator Kerr, Senator Nesbitt, Senator Shaw and Senator Soles.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Thursday, June 5, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Michael Brennan from Burlington, North Carolina, who is serving the Senate as Doctor of the Day, and to Cheryl Owen from Cashiers, North Carolina, who is serving the Senate as Nurse of the Day.*

#### **SEATING OF THE HONORABLE ROBERT A. RUCHO**

The Chair recognizes Senator Dannelly, Deputy President *Pro Tempore*, who announces that The Honorable Robert A. Rucho awaits at the door to enter the Chamber to take his seat as a member of the Senate. Senator Dannelly announces the appointment of Senator Phil Berger, Chair; Senator Apodaca; Senator Hoyle; Senator Hartsell; and Senator Dannelly as the Committee to escort Senator Rucho to the Well of the Senate.

The Chair instructs the Reading Clerk to read the Proclamation from the Governor appointing Senator Robert A. Rucho, as follows:

#### **THE APPOINTMENT OF ROBERT ANTHONY RUCHO**

2007-2008

**BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA**

#### **A PROCLAMATION**

WHEREAS, as the Honorable Robert M. Pittenger, elected Senator from the 39th Senatorial District 2007-2008 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute 163-11 require that the vacancy created by the resignation of the Honorable Robert M. Pittenger be filled by appointment of the person recommended by the 39th State Senate District Committee of the Republican Party; and

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WHEREAS, the 39th State Senate District Committee of the Republican Party has notified me of its recommendation of Robert Anthony Rucho of Mecklenburg County, North Carolina, to fill the unexpired term,

I do by these presents appoint

ROBERT ANTHONY RUCHO

as a member of the

SENATE

2007-2008 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this sixth day of June in the year of our Lord two thousand and eight, and of the Independence of the United State of America the two hundred and thirty-second.

S/ Michael F. Easley  
Governor

ATTEST:  
S/ Elaine F. Marshall  
Secretary of State

Senator Rucho was administered the oath of office earlier today by the Honorable Ann Marie Calabria, Judge, North Carolina Court of Appeals.

Senator Rucho is escorted to Seat No. 45.

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 710**, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE THAT COUNCIL VACANCIES ARE FILLED UNDER GENERAL LAW, AND TO PROVIDE THAT THE MAYOR PRO TEMPORE SERVES AT THE PLEASURE OF THE CITY COUNCIL, THE SAME AS UNDER THE GENERAL LAW.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

June 9, 2008

**H.B. 2436** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO MAKE OTHER TAX LAW CHANGES RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE; TO PROVIDE FOR A REFUNDABLE EARNED INCOME TAX CREDIT EQUAL TO FIVE PERCENT OF THE FEDERAL CREDIT; TO EXTEND AND INCREASE THE SMALL BUSINESS HEALTH INSURANCE TAX CREDIT; TO DECREASE DISABLED VETERANS PROPERTY TAX; TO EXTEND TAX CREDITS FOR LOW-INCOME HOUSING AND MILL REHABILITATION; TO ESTABLISH A SALES TAX HOLIDAY FOR CERTAIN ENERGY STAR RATED APPLIANCES; TO ALLOW FOR A NONREFUNDABLE CREDIT FOR REINVESTMENT IN A MAJOR RECYCLING FACILITY AND TO SUNSET THE CREDIT FOR INVESTMENTS IN A LARGE OR MAJOR RECYCLING FACILITY; TO CREATE, SET, AND INCREASE VARIOUS FEES; AND TO AUTHORIZE SPECIAL OBLIGATION INDEBTEDNESS FOR VARIOUS CAPITAL PROJECTS.

Referred to the **Appropriations/Base Budget Committee**.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1851**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55727, which changes the title to read **S.B. 1851** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is adopted and engrossed.

**S.B. 1860**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO

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AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15293, is adopted and engrossed.

### EXECUTIVE ORDERS

Executive Orders received are presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows:

**EXECUTIVE ORDER NUMBER 142**, Proclamation of State of Emergency by the Governor of the State of North Carolina. (Hyde, Tyrrell, and Washington Counties).

### CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

**S.B. 1654**, A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1748**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

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**S.B. 1843**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1704** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1876** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1902**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX

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REFORM ALLOCATION COMMITTEE, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1631**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

*Upon the appearance of Senator Soles in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

**S.B. 1662**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF NURSING AND APPROVED BY THE RULES REVIEW COMMISSION.

The bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 724** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO NO LONGER REQUIRE THE USE OF SOCIAL SECURITY NUMBERS ON NORTH CAROLINA CHILD SUPPORT COURT ORDERS.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives for concurrence.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 933** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING

June 9, 2008

THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, re-referred to the **Appropriations /Base Budget Committee** on Wednesday, June 4.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the Calendar for Tuesday, June 10, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the **Appropriations/Base Budget Committee** and places it on the Calendar for Tuesday, June 10.

*The Honorable Marc Basnight, President Pro Tempore, relinquishes the gavel to The Honorable Charlie Dannelly, Deputy President Pro Tempore, who presides in the absence of the Lieutenant Governor.*

*The Chair grants a leave of absence for the remainder of tonight's session to Senator Jenkins.*

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2791**, A JOINT RESOLUTION HONORING THE MOUNT OLIVE COLLEGE BASEBALL TEAM ON BECOMING THE 2008 DIVISION II NATIONAL CHAMPIONS.

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

#### **RECOGNITION OF THE MOUNT OLIVE COLLEGE BASEBALL TEAM**

With unanimous consent, upon motion of Senator Rand, the privileges of the floor are extended to the following guests from Mount Olive College: Carl Lancaster, Head Baseball Coach; Aaron Akin, Assistant Coach; Rob Watt, Assistant Coach; Jeff Eisen, Athletics Director; and Dr. J. William (Bill) Byrd, President of Mount Olive College. Senator Brown, Senator Garrou, Senator Malone, Senator Preston, and Senator Hoyle are appointed to escort the coaches, staff, and school officials to the Well of the Senate.

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**H.J.R. 2791**, A JOINT RESOLUTION HONORING THE MOUNT OLIVE COLLEGE BASEBALL TEAM ON BECOMING THE 2008 DIVISION II NATIONAL CHAMPIONS.

The joint resolution passes its second (38-0) and third readings and is ordered enrolled.

Upon motion of Senator Rand the Chair extends the courtesies of the gallery to Robbie Lancaster, wife of Coach Lancaster; Latoya Greene, Assistant Athletics Director; Wilbur M. Alling, Vice President of Finance and his wife, Ann Alling; Dr. Ellen Jordan, Vice President for Academic Affairs, and her husband, Randy Jordan; Steve Sweet, Director of Human Resources, and his wife, Jan Sweet; David Shulimson, Sports Information Director; and The Honorable Ray McDonald, Mayor of Mount Olive, and his wife, Norma Carole.

The President recognizes the Committee to escort the guests from the Chamber.

Upon motion of Senator Rand, seconded by Senator Malone, the Senate adjourns subject to receipt of committee reports, to meet Tuesday, June 10, at 3:00 P.M.

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### ONE HUNDRED THIRTIETH DAY

Senate Chamber  
Tuesday, June 10, 2008

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

Prayer is offered by Dr. Bill Tuck, Interim Pastor, First Baptist Church, Raleigh, North Carolina as follows:

"Eternal God, we gather in these Legislative Chambers to conduct the business of our State. Bless these men and women as they endeavor to confront the serious issues that lie before them. The climbing temperature and sweltering heat of the day remind us of the need for rain and our prayers for the end of draught. The accelerating oil prices remind us of the serious economic conditions in our Nation. We affirm the good gifts here by these dedicated men and women. Grant them wisdom in meeting the heavy demands before them and the desire always to be a part of the solution and not a part of the problem. We pray in the assurance always of your wisdom and guidance, when we humbly seek it. Amen."

The Chair grants leaves of absence for today to Senator Hagan and Senator Shaw.

June 10, 2008

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Monday, June 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Jugta Kahai from Southport, North Carolina, who is serving the Senate as Doctor of the Day, and to Carol Butler from Garland, North Carolina, who is serving the Senate as Nurse of the Day.*

### ENROLLED BILLS AND RESOLUTIONS

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. 2791**, A JOINT RESOLUTION HONORING THE MOUNT OLIVE COLLEGE BASEBALL TEAM ON BECOMING THE 2008 DIVISION II NATIONAL CHAMPIONS. (Res. 8)

### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 710**, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE THAT COUNCIL VACANCIES ARE FILLED UNDER GENERAL LAW, AND TO PROVIDE THAT THE MAYOR PRO TEMPORE SERVES AT THE PLEASURE OF THE CITY COUNCIL, THE SAME AS UNDER THE GENERAL LAW. (Became law upon ratification, June 9, 2008 - S.L. 2008-1.)

**S.B. 1480**, AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC. (Became law upon approval of the Governor, June 10, 2008 - S.L. 2008-2.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2189**, A BILL TO BE ENTITLED AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND

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ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, with a favorable report.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.R. 1603**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE, favorable as to adoption.

**S.B. 1800**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55733, is adopted and engrossed.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2125**, A JOINT RESOLUTION HONORING THE FOUNDERS OF BARBECUE PRESBYTERIAN CHURCH DURING THE CHURCH'S TWO HUNDRED FIFTIETH ANNIVERSARY.

Referred to the **Rules and Operations of the Senate Committee**.

#### **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 2256**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REPORT OF THE INSTITUTE FOR THE ECONOMY AND THE FUTURE OF WESTERN CAROLINA UNIVERSITY CONCERNING THE FEASIBILITY OF ESTABLISHING AN INLAND PORT BE PRESENTED TO THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2398**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY

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ISSUES RELATING TO RESPITE CARE AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2410**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Rules and Operations of the Senate Committee**.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2793**, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1132ND MILITARY POLICE COMPANY OF THE NORTH CAROLINA NATIONAL GUARD.

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

The joint resolution passes its second (48-0) and third readings and is ordered enrolled.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2079**, A JOINT RESOLUTION HONORING THE APPALACHIAN STATE UNIVERSITY FOOTBALL TEAM ON WINNING ITS THIRD CONSECUTIVE NATIONAL CHAMPIONSHIP.

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

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1736**, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CHILD PASSENGER SAFETY TECHNICIANS WHEN

June 10, 2008

ACTING IN GOOD FAITH AND WITHIN THE SCOPE OF THEIR TRAINING AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55732, which changes the title to read **S.B. 1736** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, is adopted and engrossed.

**S.B. 1955**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85470, is adopted and engrossed.

#### **ENROLLED BILLS AND RESOLUTIONS**

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. 2793**, A JOINT RESOLUTION HONORING THE MEMBERS OF THE 1132ND MILITARY POLICE COMPANY OF THE NORTH CAROLINA NATIONAL GUARD. (Res. 9)

#### **CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1851** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

June 10, 2008

**S.B. 1860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 933** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Judiciary I Committee**.

**H.B. 946** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives for concurrence.

**H.B. 1003** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR.

Upon motion of Senator Hartsell, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Judiciary II Committee**.

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**RECOGNITION OF THE APPALACHIAN STATE UNIVERSITY  
MOUNTAINEERS FOOTBALL TEAM**

With unanimous consent, upon motion of Senator Rand, the privileges of the floor are extended to Chancellor Ken Peacock, the members of the Appalachian State University Mountaineers football team, 2007 Division I-AA Football Champions and coaches. Senator Goss, Chair; Senator Hoyle; Senator Nesbitt; Senator Forrester; Senator Queen; Senator Dalton; Senator Apodaca; Senator Garrou; and Senator Snow are appointed to escort the members of the football team, coaches, and school officials to the Well of the Senate.

**H.J.R. 2079**, A JOINT RESOLUTION HONORING THE APPALACHIAN STATE UNIVERSITY FOOTBALL TEAM ON WINNING ITS THIRD CONSECUTIVE NATIONAL CHAMPIONSHIP, placed earlier on today's Calendar.

The joint resolution passes its second reading (47-0) and third reading with members standing and is ordered enrolled.

The Chair recognizes Chancellor Ken Peacock and Coach Jerry Moore who address the Senate. The following players are recognized and introduce themselves: Nic Cardwell; Trey Elder; Scott Suttle; and Justin Woazeah.

The Chair extends privileges of the floor to Margaret Moore, wife of Coach Jerry Moore; Rosanne Peacock, wife of Chancellor Ken Peacock; Jim Deal, Board of Trustees Chairman; Alan Hauser, Faculty Athletic Representative; and Reggie Hunt, Kim Sherrill, Jake Stroot, and Jay Sutton, from the Department of Athletics.

The Chair extends courtesies of the gallery to former Representative Margaret Hayden and other guests from Appalachian State University.

The President recognizes the Committee to escort the guests from the Chamber.

**PRIVILEGES OF THE FLOOR**

The Chair extends privileges of the floor to the Honorable J. Richard Conder, former Senator from Richmond County.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2172**, A JOINT RESOLUTION HONORING THE MEMORY OF C. E. FOY, CRAVEN COUNTY COMMISSIONER AND FIRST PRESIDENT OF THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, ON THE ASSOCIATION'S CENTENNIAL ANNIVERSARY AND RECOGNIZING ONE HUNDRED YEARS OF COUNTY UNITY.

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

The joint resolution passes its second (47-0) and third readings and is ordered enrolled.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Graham for the **State & Local Government Committee**:

**S.B. 1590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK, with a favorable report.

**S.B. 1636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, with a favorable report.

**S.B. 1688**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH, with a favorable report.

**S.B. 1895**, A BILL TO BE ENTITLED AN ACT AUTHORIZING JOHNSTON COUNTY TO EXPAND AND IMPROVE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, with a favorable report.

**S.B. 2131**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD EX OFFICIO MEMBERS TO THE AIRPORT AUTHORITY, with a favorable report.

**S.B. 2137**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUMMERFIELD SHALL FOLLOW THE GENERAL LAW FOR THE FILLING OF TOWN COUNCIL VACANCIES, with a favorable report.

**S.B. 2138**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN AMENDMENT TO THE CHARTER OF THE TOWN OF STONEVILLE PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND MEMBERS OF THE TOWN COUNCIL, with a favorable report.

### WITHDRAWAL FROM COMMITTEE

**S.B. 2020**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FLOODPLAIN MAPPING TRUST FUND, referred to the **Appropriations/Base Budget Committee** on Wednesday, May 28.

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Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Finance Committee**.

**S.B. 2107**, A BILL TO BE ENTITLED AN ACT TO ADD A STATE FACILITIES FEE TO COURT COSTS AND CREATE A JUDICIAL DEPARTMENT FACILITIES FEE RESERVE FUND FOR THE USE OF STATE COURT FACILITIES, referred to the **Appropriations/Base Budget Committee** on Wednesday, May 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Finance Committee**.

#### COMMITTEE APPOINTMENTS

Pursuant to Rule 31, Senator Dannelly, Deputy President *Pro Tempore* announces the appointment of Senator Rucho to the following committees:

**Appropriations/Base Budget Committee**  
**Appropriations on Department of Transportation Committee**  
**Education/Higher Education Committee**  
**Commerce, Small Business and Entrepreneurship Committee**  
**Transportation Committee**  
**Finance Committee**

#### ADDITIONAL SPONSORS

Senator Berger of Franklin requests to be added as a sponsor of previously introduced legislation:

**S.B. 295**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO MURDERS A PREGNANT WOMAN SHALL BE GUILTY OF A SEPARATE OFFENSE OF MURDER IN THE RESULTING DEATH OF THE FETUS.

**S.J.R. 2153**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A PERSON MAY USE FORCE TO DEFEND HIMSELF OR HERSELF OR ANOTHER PERSON OR TO PREVENT THE IMMINENT COMMISSION OF A FORCIBLE FELONY.

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

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**S.B. 1851**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Upon motion of Senator Dannelly, seconded by Senator Apodaca, the Senate adjourns subject to receipt of committee reports, to meet Wednesday, June 11, at 3:00 P.M.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 2126**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING ORDINANCE VIOLATIONS IN THE CITY OF WINSTON-SALEM, with a favorable report.

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF KENANSVILLE, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed and changes the title to read **S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE AND GRANITE QUARRY.

**S.B. 1070**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15297, is adopted and engrossed.

**S.B. 1852**, A BILL TO BE ENTITLED AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55731, is adopted and engrossed.

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**S.B. 1878**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO TREAT MOBILE HOMES THE SAME AS OTHER HOMES WITH RESPECT TO PROPERTY TAX LIENS, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, AND TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15296, which changes the title to read **S.B. 1878** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, AND TO CLASSIFY LOW-INCOME HOUSING PROPERTY, is adopted and engrossed.

**S.B. 1925**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15294, which changes the title to read **S.B. 1925** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO EXEMPT SPECIAL INDEBTEDNESS FOR FACILITIES BY GATEWAY UNIVERSITY RESEARCH PARK, INC., FROM CERTAIN PROCUREMENT REQUIREMENTS; AND TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, is adopted and engrossed.

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**S.B. 1598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF BEULAVILLE, BUTNER, HOBGOOD, LOCUST, AND OAKBORO TO THE CITIES AND TOWNS THAT MAY REGULATE GOLF CARTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 35597, which changes the title to read **S.B. 1598** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF BEULAVILLE, BUTNER, HOBGOOD, AND OAKBORO TO REGULATE GOLF CARTS, is adopted and engrossed.

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**S.B. 1697**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS AT TOLL FACILITIES OPERATED BY THE NORTH CAROLINA TURNPIKE AUTHORITY AND TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55734, which changes the title to read **S.B. 1697** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS AT TOLL FACILITIES OPERATED BY THE NORTH CAROLINA TURNPIKE AUTHORITY AND TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE TOLL ROAD COMPACT, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the **Finance Committee**.

**S.B. 1698**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15295, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the **Finance Committee**.

**S.B. 1797**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE

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RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75581, is adopted and engrossed.

**S.B. 1891**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35598, is adopted and engrossed.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 5:16 P.M.

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### ONE HUNDRED THIRTY-FIRST DAY

Senate Chamber  
Wednesday, June 11, 2008

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

Prayer is offered by The Reverend Trey Davis, First Baptist Church, Raleigh, North Carolina as follows:

"Dear God, we are so often like children. We see the world through young eyes, experiencing sights and sounds for the first time and trying to make sense of them. Help us to retain the innocence of childhood, to embrace the unmitigated kindness that only a child can show to a stranger, and to continue to seek out new experiences with open eyes, open hearts, and open minds. We are so often like teenagers. We struggle through the pains of growing into our sense of identity, striving to determine what our values are. We are filled with excitement one moment and sadness the next. Help us to grow, to appreciate where we come from and what we can become, and to learn through our

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mistakes. We are so often like adults. We have a strong sense of what we enjoy and of the truths we cling fast to. We look toward the future, not just for ourselves, but for others in our lives. Help us to be grateful for our experiences and not take them for granted, so that we might acknowledge and develop the wisdom that comes with those experiences. Especially, we pray, help us to be balanced. Help us to appreciate the goodness of each phase of life, as all of that goodness is in us no matter what our age. Amen."

The Chair grants leaves of absence for today to Senator Graham, Senator Hagan, Senator Shaw and Senator Smith.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Michael Norins from Greensboro, North Carolina, who is serving the Senate as Doctor of the Day.*

### ENROLLED BILLS AND RESOLUTIONS

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

**H.J.R. 2079**, A JOINT RESOLUTION HONORING THE APPALACHIAN STATE UNIVERSITY FOOTBALL TEAM ON WINNING ITS THIRD CONSECUTIVE NATIONAL CHAMPIONSHIP. (Res. 10)

**H.J.R. 2172**, A JOINT RESOLUTION HONORING THE MEMORY OF C. E. FOY, CRAVEN COUNTY COMMISSIONER AND FIRST PRESIDENT OF THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, ON THE ASSOCIATION'S CENTENNIAL ANNIVERSARY AND RECOGNIZING ONE HUNDRED YEARS OF COUNTY UNITY. (Res. 11)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1988**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO BURN A CROSS OR HANG A NOOSE FOR THE INTENT OF INTIMIDATING ANOTHER PERSON BECAUSE OF RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN AND TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS

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ACROSS THE STATE TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55737, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

### **PRIVILEGES OF THE FLOOR**

The President extends privileges of the floor to the Honorable Thomas F. Taft, former Senator from Pitt County.

### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**S.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM WITHIN THE NORTH CAROLINA INSTITUTE FOR PUBLIC HEALTH, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55738, which changes the title to read **S.B. 1687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM TO REPORT ANNUALLY TO THE PUBLIC HEALTH STUDY COMMISSION, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 933** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO

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CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2 60529, which changes the title, upon concurrence, to read **H.B. 933** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today's Calendar.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE.

Upon motion of Senator Rand, the bill is withdrawn from today's Calendar and is re-referred to the **State & Local Government Committee**.

**S.B. 1688**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH.

Upon motion of Senator Rand, the bill is withdrawn from today's Calendar and is re-referred to the **State & Local Government Committee**.

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**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE AND GRANITE QUARRY, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 12, upon third reading.

**S.B. 1590**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1598** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF BEULAVILLE, BUTNER, HOBGOOD, AND OAKBORO TO REGULATE GOLF CARTS.

The Committee Substitute bill No. 2 passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1895**, A BILL TO BE ENTITLED AN ACT AUTHORIZING JOHNSTON COUNTY TO EXPAND AND IMPROVE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2126**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING ORDINANCE VIOLATIONS IN THE CITY OF WINSTON-SALEM.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2137**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TOWN OF SUMMERFIELD SHALL FOLLOW THE GENERAL LAW FOR THE FILLING OF TOWN COUNCIL VACANCIES.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

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**S.B. 2138**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN AMENDMENT TO THE CHARTER OF THE TOWN OF STONEVILLE PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND MEMBERS OF THE TOWN COUNCIL.

The bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2131**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD EX OFFICIO MEMBERS TO THE AIRPORT AUTHORITY.

Senator Preston offers Amendment No. 1 which is adopted (46-0).

The bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 1852** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, June 12, upon third reading.

**S.B. 1878** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, AND TO CLASSIFY LOW-INCOME HOUSING PROPERTY, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake,

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Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, June 12, upon third reading.

**H.B. 933** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, placed earlier on today's Calendar.

The Senate Committee Substitute bill No. 2 passes its second (46-0) and third readings and is ordered sent to the House of Representatives for concurrence.

*The Chair grants a leave of absence for the remainder of today's session to Senator Cowell.*

**S.B. 1925** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO EXEMPT SPECIAL INDEBTEDNESS FOR FACILITIES BY GATEWAY UNIVERSITY RESEARCH PARK, INC., FROM CERTAIN PROCUREMENT REQUIREMENTS; AND TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT

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INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, upon second reading.

Senator Apodaca offers Amendment No. 1 which fails of adoption (11-34).

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: Senator Apodaca---1.

The Committee Substitute bill remains on the Calendar for Thursday, June 12, upon third reading.

**S.B. 1955** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL.

Upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 1070** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1736** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1797** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE.

The Committee Substitute bill passes its second (44-1) and third readings and is ordered sent to the House of Representatives.

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**S.B. 1800** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1891** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 2189**, A BILL TO BE ENTITLED AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

The bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor.

**S.R. 1603**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE.

The Senate Resolution is adopted (45-0).

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 2125**, A JOINT RESOLUTION HONORING THE FOUNDERS OF BARBECUE PRESBYTERIAN CHURCH DURING THE CHURCH'S TWO HUNDRED FIFTIETH ANNIVERSARY, referred to the **Rules and Operations of the Senate Committee** on Tuesday, June 10.

Pursuant to Rule 47(a), Senator Rand offers a motion that the house joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the house joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it before the Senate for immediate consideration.

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The house joint resolution passes its second (45-0) and third readings and is ordered enrolled.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator East for the **State & Local Government Committee**:

**S.B. 1602**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CASWELL BEACH, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85471, is adopted and engrossed.

**S.B. 2118**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY TO THE YMCA FOR A TERM OF MORE THAN TEN YEARS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55730, is adopted and engrossed.

**S.B. 1636**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55735, which changes the title to read **S.B. 1636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY AND THE CITY OF WILSON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE, is adopted and engrossed.

**S.B. 1688**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75582, is adopted and engrossed.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

John Baker, Spruce Pine; Alana Bethea, Charlotte; Camilla Bethel, Raleigh; Caroline Bodager, Durham; Will Borden, Goldsboro; Nick Bowden, Goldsboro;

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Caroline Dunn, Raleigh; Katy Fanning, Fuquay-Varina; Jeremy Glenn, Stanley; Kara Goray, Raleigh; Daniel Gunn, Burlington; Carson Hadley, Raleigh; David Hasenauer, Raleigh; Laura Hasenauer, Raleigh; Derrick Inman, Raleigh; Kerry Johnson, Kipling; Candice Kirk, Fayetteville; Jasmine Kirk, Stedman; Matt Lamers, Raleigh; Grant Ludwig III, Raleigh; Davette McLaurin, Stedman; Jeff Miles, Cary; Nelson Moore, Nashville; Cameron Privott, Rocky Mount; Thomas Privott, Rocky Mount; Sean Rankin, Dallas; Baxter Sapp, Greensboro; Michael Scott, Morganton; Mary Catherine Stroupe, Cherryville; Tyler Sutherland, Raeford; Amandolin Webb, Oakboro; Dylan Webster, Garner; and Helen Wilson, Fuquay-Varina.

#### **ADDITIONAL SPONSORS**

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 1070**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM.

**S.B. 1800**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**S.B. 1852**, A BILL TO BE ENTITLED AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT.

Upon motion of Senator Basnight, seconded by Senator Atwater, the Senate adjourns subject to introduction of bills, receipt of committee reports, and reading of messages from the House of Representatives, to meet Thursday, June 12, at 11:00 A.M.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Hoyle:

**S.B. 2164**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA OFFICE OF THE

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COMMISSIONER OF BANKS AND APPROVED BY THE RULES REVIEW COMMISSION.

Referred to the **Rules and Operations of the Senate Committee**.

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 2092**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO CHANGE THE NAME OF THE TOWN'S FIRE DEPARTMENT.

Referred to the **State & Local Government Committee**.

**H.B. 2121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM, ON, OR ACROSS THE RIGHT-OF-WAY OF AN IMPROVED STATE-MAINTAINED ROAD OR HIGHWAY IN JACKSON COUNTY, WITH ONE EXCEPTION.

Referred to the **State & Local Government Committee**.

**H.B. 2122** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN JACKSON COUNTY.

Referred to the **State & Local Government Committee**.

**H.B. 2157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK.

Referred to the **State & Local Government Committee**.

**H.B. 2162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG.

Referred to the **State & Local Government Committee**.

**H.B. 2343**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES.

Referred to the **State & Local Government Committee**.

**H.B. 2464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY.

Referred to the **State & Local Government Committee**.

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**H.B. 2591**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY.

Referred to the **State & Local Government Committee**.

**H.B. 2603** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MOUNT AIRY AND THE TOWNS OF MARSHVILLE, WADESBORO, AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE MUNICIPALITIES' OVERGROWN VEGETATION ORDINANCES.

Referred to the **State & Local Government Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1630**, A BILL TO BE ENTITLED AN ACT TO EXEMPT BAKED GOODS FROM STATE SALES AND USE TAXES, with a favorable report.

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX, with a favorable report.

**S.B. 2119**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE COUNTY OF BRUNSWICK THE AUTHORITY TO USE THE POWER OF EMINENT DOMAIN PURSUANT TO THE CONDEMNATION PROCESS SET OUT IN ARTICLE 9 OF CHAPTER 136 OF THE GENERAL STATUTES FOR THE ACQUISITION OF LAND ON A SINGLE HIGHWAY TO BE USED FOR THE PUBLIC PURPOSE OF IMPROVING THE ROAD AND PROVIDING NEEDED LAND AND EASEMENTS FOR THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN THE ROAD, with a favorable report.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:12 P.M.

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**ONE HUNDRED THIRTY-SECOND DAY**

Senate Chamber  
Thursday, June 12, 2008

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

Prayer is offered by The Reverend Trey Davis, First Baptist Church, Raleigh, North Carolina as follows:

"God, open our eyes, and shed light on us, that we might travel a path of integrity and wisdom. Give us vision to see the difference between right and wrong, the thin line that separates the wise from the foolish. Open our ears, that we might hear the cries of those who are alone or hurting. Help us truly to listen to their problems, to empathize with their suffering, and to understand their lives fully. Open our arms and make us compassionate, caring for those who cannot care for themselves. Help us to carry the weight for those who are weak. Open our minds, and do not let us cling to preconceptions that are faulty or plans that have failed. Give us courage to make good decisions, especially when those decisions are hard to discern or cause us to swallow our pride. Amen."

The Chair grants leaves of absence for today to Senator Apodaca, Senator Dorsett, Senator Garrou, Senator Hagan, Senator Shaw and Senator Tillman.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, June 11, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Judy Schneider from Garner, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 2189**, AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

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

**H.B. 1195**, AN ACT TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS IN THE TOWN OF PLEASANT GARDEN.

**H.J.R. 2125**, A JOINT RESOLUTION HONORING THE FOUNDERS OF BARBECUE PRESBYTERIAN CHURCH DURING THE CHURCH'S TWO HUNDRED FIFTIETH ANNIVERSARY. (Res. 12)

**S.J.R. 1996**, A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO FILL UNEXPIRED TERMS ON THE STATE BOARD OF COMMUNITY COLLEGES. (Res. 13)

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1602** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CASWELL BEACH.

Upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **State & Local Government Committee**.

**S.B. 1688** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH.

Upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE AND GRANITE QUARRY.

Upon motion of Senator Albertson, the Chair orders, without objection, the bill temporarily displaced.

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 17.

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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 2185** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING ADOPTION AGENCIES ACTING AS CONFIDENTIAL INTERMEDIARIES TO REPORT CERTAIN INFORMATION TO THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND REQUIRING THE DEPARTMENT TO MAINTAIN RECORDS OF THIS INFORMATION AS WELL AS CERTAIN OTHER INFORMATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ADOPTEE BIRTH CERTIFICATES.

Referred to the **Judiciary I Committee**.

**H.B. 2785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY.

Referred to the **Finance Committee**.

**CALENDAR** (*continued*)

**S.B. 1636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY AND THE CITY OF WILSON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2119**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE COUNTY OF BRUNSWICK THE AUTHORITY TO USE THE POWER OF EMINENT DOMAIN PURSUANT TO THE CONDEMNATION PROCESS SET OUT IN ARTICLE 9 OF CHAPTER 136 OF THE GENERAL STATUTES FOR THE ACQUISITION OF LAND ON A SINGLE HIGHWAY TO BE USED FOR THE PUBLIC PURPOSE OF IMPROVING THE ROAD AND PROVIDING NEEDED LAND AND EASEMENTS FOR THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN THE ROAD.

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2118** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY TO THE YMCA FOR A TERM OF MORE THAN TEN YEARS.

*Without objection, Senator Clodfelter requests to be excused from voting on the Committee Substitute bill due to a conflict of interest.*

The Committee Substitute bill passes its second (43-0) and third readings and is ordered sent to the House of Representatives.

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**S.B. 1852** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, East, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell and Weinstein---44.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**S.B. 1669**, A BILL TO BE ENTITLED AN ACT TO PROTECT COMMUNITY COLLEGE STUDENTS AND STAFF, AS WELL AS VISITING PUBLIC SCHOOL STUDENTS, FROM EXPOSURE TO TOBACCO BY AUTHORIZING LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES TO ADOPT WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, IN COMMUNITY COLLEGE FACILITIES, ON COMMUNITY COLLEGE CAMPUSES, OR AT COMMUNITY COLLEGE-RELATED OR COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE PROPERTY, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15298, which changes the title to read **S.B. 1669** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF AND PROVIDE GUIDANCE TO LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES IN ADOPTING WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, ON COMMUNITY COLLEGE CAMPUSES, AT COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE PROPERTY, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, is adopted and engrossed.

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**H.B. 964** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTER, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70782, which changes the title, upon concurrence, to read **H.B. 964** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTER, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

#### CALENDAR *(continued)*

**S.B. 1878** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, AND TO CLASSIFY LOW-INCOME HOUSING PROPERTY, upon third reading.

Senator Clodfelter offers Amendment No. 1 which is adopted (44-0).

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, East, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell and Weinstein---44.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

**S.B. 1925** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO EXEMPT SPECIAL INDEBTEDNESS FOR FACILITIES BY GATEWAY

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UNIVERSITY RESEARCH PARK, INC., FROM CERTAIN PROCUREMENT REQUIREMENTS; AND TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM, upon third reading.

Senator Berger of Rockingham announces a pair vote. If Senator Apodaca were present, he would vote "no"; Senator Berger of Rockingham votes "aye".

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, East, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell and Weinstein---43.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1630**, A BILL TO BE ENTITLED AN ACT TO EXEMPT BAKED GOODS FROM STATE SALES AND USE TAXES.

The bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM TO REPORT ANNUALLY TO THE PUBLIC HEALTH STUDY COMMISSION, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE AND GRANITE QUARRY, temporarily displaced earlier today.

Senator Hoyle offers Amendment No. 1 which is adopted (43-0), and changes the title to read **S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE, BELMONT, AND GRANITE QUARRY.

The amendment is ruled to be material, which constitutes first reading.

The bill, as amended, is placed on the Calendar for Monday, June 16, upon second reading.

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### WITHDRAWAL FROM COMMITTEE

**S.J.R. 2161**, A JOINT RESOLUTION RECOGNIZING THE SIXTIETH ANNIVERSARY OF THE SIGNING OF PUBLIC LAW 557, WHICH MADE THE CIVIL AIR PATROL THE OFFICIAL AUXILIARY OF THE UNITED STATES AIR FORCE, AND HONORING THE LIFE AND SERVICE OF CHAPLAIN ROYCE A. BEACHAM, ONE OF THE FINEST MEMBERS OF THE CIVIL AIR PATROL, referred to the **Rules and Operations of the Senate Committee** on Tuesday, June 3.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Tuesday, June 17, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Tuesday, June 17.

### ADDITIONAL SPONSORS

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 2085**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL DISTRICT COURT JUDGE FOR DISTRICT COURT DISTRICT 14, FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEYS AND THREE VICTIM WITNESS ASSISTANTS FOR PROSECUTORIAL DISTRICT 14, AND SIX DEPUTY CLERKS AND FOUR MAGISTRATES FOR DURHAM COUNTY.

Upon motion of Senator Dannelly, seconded by Senator Allran, the Senate adjourns subject to receipt of committee reports, to meet Monday, June 16, at 7:00 P.M.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1628**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75585, is adopted and engrossed.

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**S.B. 1755**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDIT FOR RESEARCH AND DEVELOPMENT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75586, which changes the title to read **S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP, is adopted and engrossed.

**S.B. 1952**, A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO HELP SMALL BUSINESSES UNDERSTAND THE COMPLEXITIES OF THE SALES AND USE TAX LAWS BY REQUIRING CONSULTATION FROM THE DEPARTMENT OF REVENUE, AND TO ALLOW ALL TAXPAYERS TO RELY ON VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15299, which changes the title to read **S.B. 1952** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO REQUIRE THE DEPARTMENT OF REVENUE TO DOCUMENT CERTAIN VERBAL ADVICE GIVEN TO TAXPAYERS, TO ALLOW TAXPAYERS TO RELY ON DOCUMENTED VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, AND TO GIVE THE SECRETARY OF REVENUE MORE DISCRETION IN RESOLVING SALES AND USE TAX DISPUTES CONCERNING SMALL BUSINESSES, is adopted and engrossed.

**S.B. 2106**, A BILL TO BE ENTITLED AN ACT TO CLARIFY SALES AND USE TAX REFUNDS FOR NONPROFIT ENTITIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75584, is adopted and engrossed.

**S.B. 2107**, A BILL TO BE ENTITLED AN ACT TO ADD A STATE FACILITIES FEE TO COURT COSTS AND CREATE A JUDICIAL

DEPARTMENT FACILITIES FEE RESERVE FUND FOR THE USE OF STATE COURT FACILITIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55741, which changes the title to read **S.B. 2107** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR HOME CARE SERVICES, is adopted and engrossed.

**S.B. 2113**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE SALES TAX REFUND FOR SALES AND USE TAXES PAID BY AN INTERSTATE PASSENGER AIR CARRIER, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55739, which changes the title to read **S.B. 2113** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE SALES TAX REFUND FOR SALES AND USE TAXES PAID BY AN INTERSTATE PASSENGER AIR CARRIER AND TO EQUALIZE THE TAX TREATMENT BETWEEN HEATING SOURCES BY REDUCING THE STATE SALES TAX ON HOME HEATING FUEL TO ONE PERCENT, is adopted and engrossed.

**S.B. 1695** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE AND BOAT TRAILER COMBINATIONS; TO AUTHORIZE VEHICLES WITH FARMER LICENSE PLATES TO OPERATE FOR FARM-RELATED ACTIVITIES; TO SPECIFY WHEN MUNICIPAL CONCURRENCE IS NECESSARY FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR THE TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 15300, which changes the title to read **S.B. 1695** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE COMBINATIONS; TO CLARIFY THE OPERATION OF VEHICLES WITH FARMER LICENSE PLATES; TO ELIMINATE MUNICIPAL CONCURRENCE FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, is adopted and engrossed.

By Senator Bingham for the **Health Care Committee**:

**S.B. 1681**, A BILL TO BE ENTITLED AN ACT TO REQUIRE AUTOMOBILES IN THE STATE MOTOR FLEET TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-OWNED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85473, which changes the title to read **S.B. 1681** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE AUTOMOBILES IN THE STATE MOTOR FLEET TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, is adopted and engrossed.

**S.B. 1686**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE GROUNDS WITHIN A CERTAIN DISTANCE OF STATE-OWNED OR OPERATED BUILDINGS BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO DESIGNATE GROUNDS WITHIN A CERTAIN DISTANCE OF LOCALLY OWNED OR OPERATED BUILDINGS TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill 75583, is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1805**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35599, which changes the title to read **S.B. 1805** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, is adopted and engrossed.

**S.B. 2081**, A BILL TO BE ENTITLED AN ACT REQUIRING THE COURT AFTER JUDICIAL DETERMINATION OF INVOLUNTARY COMMITMENT TO REPORT THE FACT OF THE COMMITMENT TO THE NATIONAL CRIMINAL BACKGROUND SYSTEM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65391, which changes the title to read **S.B. 2081** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 3:53 P.M.

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**ONE HUNDRED THIRTY-THIRD DAY**

Senate Chamber  
Monday, June 16, 2008

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

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

"Dear God, sometimes even when we use the intelligence and good sense that you've given us, we find ourselves faced with the question, 'Where do we go from here?' Just like the children of Israel when they picked up and cameled out of Egypt into the desert, like them, sometimes we don't know where we'll end up. Like them, we must travel by faith. Once traveling, it's remarkable, though, how quickly faith erodes. On days when we're lost and would rather have a map, reassure us with a strong faith in your guidance. Amen."

The Chair grants leaves of absence for tonight to Senator Berger of Rockingham, Senator Dalton, Senator Hagan and Senator Jenkins.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, June 12, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Bruce Norman from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Kristie King from Asheville, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1862**, AN ACT TO REMOVE A PORTION OF LAKE WACCAMAW STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW FOR BRIDGE REALIGNMENT ON BELLA COOLA ROAD, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1872**, AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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**H.B. 724**, AN ACT TO NO LONGER REQUIRE THE USE OF SOCIAL SECURITY NUMBERS ON NORTH CAROLINA CHILD SUPPORT COURT ORDERS.

### CHAPTERED BILLS

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 1195**, AN ACT TO PROVIDE A PROCEDURE TO RECALL ELECTED OFFICIALS IN THE TOWN OF PLEASANT GARDEN. (Became law upon ratification, June 12, 2008 - S.L. 2008-3.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1651**, A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15301, which changes the title to read **S.B. 1651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO LOWER THE MINIMUM AGE FOR DONATING BLOOD FROM SEVENTEEN TO SIXTEEN, is adopted and engrossed.

### CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE AND GRANITE QUARRY, upon second reading, as amended by a material amendment on June 12.

The bill, as amended, passes its second reading, by roll-call vote, ayes 41, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham,

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Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--41.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, June 17, upon third reading.

**S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 2106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY SALES AND USE TAX REFUNDS FOR NONPROFIT ENTITIES.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 2107** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR HOME CARE SERVICES.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 1628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 1695** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE

COMBINATIONS; TO CLARIFY THE OPERATION OF VEHICLES WITH FARMER LICENSE PLATES; TO ELIMINATE MUNICIPAL CONCURRENCE FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 1952** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO REQUIRE THE DEPARTMENT OF REVENUE TO DOCUMENT CERTAIN VERBAL ADVICE GIVEN TO TAXPAYERS, TO ALLOW TAXPAYERS TO RELY ON DOCUMENTED VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, AND TO GIVE THE SECRETARY OF REVENUE MORE DISCRETION IN RESOLVING SALES AND USE TAX DISPUTES CONCERNING SMALL BUSINESSES.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 2113** (Committee Substitute ), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE SALES TAX REFUND FOR SALES AND USE TAXES PAID BY AN INTERSTATE PASSENGER AIR CARRIER AND TO EQUALIZE THE TAX TREATMENT BETWEEN HEATING SOURCES BY REDUCING THE STATE SALES TAX ON HOME HEATING FUEL TO ONE PERCENT.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, June 17.

**S.B. 1669** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF AND PROVIDE GUIDANCE TO LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES IN ADOPTING WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, ON COMMUNITY COLLEGE CAMPUSES, AT COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE PROPERTY, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

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The Committee Substitute bill passes its second (36-8) and third readings and is ordered sent to the House of Representatives.

**S.B. 1681** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE AUTOMOBILES IN THE STATE MOTOR FLEET TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

The Committee Substitute bill passes its second reading (37-7).

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Tuesday, June 17, upon third reading.

**S.B. 1686** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE GROUNDS WITHIN A CERTAIN DISTANCE OF STATE-OWNED OR OPERATED BUILDINGS BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO DESIGNATE GROUNDS WITHIN A CERTAIN DISTANCE OF LOCALLY OWNED OR OPERATED BUILDINGS TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Senator Purcell offers Amendment No. 1.

Upon motion of Senator Purcell, the Chair orders, without objection, the Committee Substitute bill, with Amendment No. 1 pending, temporarily displaced.

**S.B. 1805** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1686** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE GROUNDS WITHIN A CERTAIN DISTANCE OF STATE-OWNED OR OPERATED BUILDINGS BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO DESIGNATE GROUNDS WITHIN A CERTAIN DISTANCE OF LOCALLY OWNED OR OPERATED BUILDINGS TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, temporarily displaced earlier tonight with Amendment No. 1 pending.

Amendment No. 1 is adopted (38-7).

Senator Jacumin offers Amendment No. 2 as a perfecting Amendment to Amendment No. 1.

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Amendment No. 2 is adopted (27-18).

Senator Dorsett offers Amendment No. 3 which is adopted (44-1).

The Committee Substitute bill, as amended, passes its second reading (31-14).

Senator Nesbitt objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Tuesday, June 17, upon third reading.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

Morgan Anderson, Charlotte; Leigh Betancourt, Raleigh; Stephen Clark, Charlotte; Crosby Cordell, Charlotte; Alexis Craghead, Charlotte; Hillary Duff, New Bern; Mitchell Dupere, Raleigh; Patrick Evancho, Fuquay-Varina; Cortney Graham, Charlotte; Nicole Graham, Charlotte; Fia Grunwald, Durham; Mitch Hargett III, Charlotte; Parker Holland, Gastonia; Cameron James, Fuquay-Varina; Cody Knight, Fuquay-Varina; Asia Leathers, Charlotte; Elizabeth Morgan, Gastonia; Will Purcell III, Laurinburg; Hannah Rangel, Greensboro; Kristen Rice, Gastonia; Olivia Stinson, Charlotte; Ben Thomas Taylor, Holly Springs; Katherine Thomas, Greensboro; Ellisa Thompson, Frisco; Josh Tillett, Sanford; Carisse Turner, Charlotte; Destiny Walters, Charlotte; Deja Williams, Charlotte; and Brice Wordsworth, Rocky Mount.

### ADDITIONAL SPONSORS

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 1945**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY.

**S.B. 2084**, A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES AND USE TAX EXEMPTION FOR LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REENACT THE SALES AND USE TAX REFUND FOR LOCAL SCHOOL ADMINISTRATIVE UNITS, SO AS TO OPTIMIZE SCHOOL CONSTRUCTION FUNDING.

**S.B. 2089**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO ESTABLISH A PILOT REGIONAL SPECIAL EDUCATION FUND TO SUPPORT MULTIDISCIPLINARY ASSESSMENT SERVICES FOR CHILDREN WITH DISABILITIES.

**S.B. 2090**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUVENILE JUSTICE AND

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DELINQUENCY PREVENTION TO CONTINUE FUNDING FOR THE JUVENILE CRIME PREVENTION COUNCIL PROGRAMS.

**S.B. 2091**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION TO RESTORE THE CONTINUATION FUNDS FOR THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM.

Upon motion of Senator Basnight, seconded by Senator Hoyle, the Senate adjourns subject to reading of messages from the House of Representatives, to meet Tuesday, June 17, at 12:00 Noon.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.B. 2084**, A BILL TO BE ENTITLED AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS.

Referred to the **Finance Committee**.

**H.B. 2091**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES.

Referred to the **Finance Committee**.

**H.B. 2101** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWN OF OAKBORO TO REGULATE GOLF CARTS WITHIN THE LIMITS OF THOSE MUNICIPALITIES.

Referred to the **State & Local Government Committee**.

**H.B. 2156** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX.

Referred to the **Finance Committee**.

**H.B. 2318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

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**H.B. 2341** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary I Committee**.

**H.B. 2391**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

Referred to the **Judiciary I Committee**.

**H.B. 2430**, A BILL TO BE ENTITLED AN ACT DIRECTING THE GENERAL STATUTES COMMISSION TO STUDY THE UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE SUBCOMMITTEE ON PUBLIC HEALTH AND BIOTERRORISM OF THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2431**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE STUDY COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL.

Referred to the **Rules and Operations of the Senate Committee**.

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**H.B. 2449**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS.

Referred to the **Finance Committee**.

**H.B. 2455** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN.

Referred to the **Finance Committee**.

**H.B. 2529** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

**H.B. 2563**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS.

Referred to the **State & Local Government Committee**.

**H.B. 2689**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX.

Referred to the **Finance Committee**.

**H.B. 2762**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT FOR RANDOLPH COUNTY TO ACCEPT PAYMENT OF THE FEE CHARGED BY THE COUNTY SHERIFF FOR OFFENDERS ORDERED TO PARTICIPATE IN PRETRIAL ELECTRONIC MONITORING.

Referred to the **Finance Committee**.

**H.B. 2763**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY FROM SIX TO EIGHT MEMBERS.

Referred to the **State & Local Government Committee**.

**H.B. 2783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

Referred to the **Finance Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 8:10 P.M.

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## ONE HUNDRED THIRTY-FOURTH DAY

Senate Chamber  
Tuesday, June 17, 2008

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

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

"Almighty God, the world exalts bigness, success, self-sufficiency. As long as we're not consumed by such a world view, some measure of each can be valuable in living our lives. But please remind us what it's like to be small, needy, and dependent, like having to tell a desperate, humiliating story too many times just to get a little help. Or like being picked last or understanding what it is like to have to decide whether to pay the rent or buy food for the family. Having revisited our own smallness and neediness, we shall serve you better each day. After all, your love for the least in each of us is well documented. Amen."

The Chair grants leaves of absence for today to Senator Bingham and Senator Jenkins.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Sarah Barbara Stamey from Clinton, North Carolina, who is serving the Senate as Nurse of the Day.*

## ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1646**, AN ACT TO PROVIDE FOR THE ORDERLY FISCAL MANAGEMENT OF ANY MONETARY SETTLEMENT OF THE 1943 AGREEMENT BETWEEN SWAIN COUNTY AND THE UNITED STATES DEPARTMENT OF INTERIOR.

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**H.B. 946**, AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY.

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

**S.B. 1579**, AN ACT AUTHORIZING THE TOWN OF CARY TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.J.R. 2161**, A JOINT RESOLUTION RECOGNIZING THE SIXTIETH ANNIVERSARY OF THE SIGNING OF PUBLIC LAW 557, WHICH MADE THE CIVIL AIR PATROL THE OFFICIAL AUXILIARY OF THE UNITED STATES AIR FORCE, AND HONORING THE LIFE AND SERVICE OF CHAPLAIN ROYCE A. BEACHAM, ONE OF THE FINEST MEMBERS OF THE CIVIL AIR PATROL.

Upon motion of Senator Rand, the joint resolution is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 24.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Garrou for the **Appropriations/Base Budget Committee**:

**H.B. 2436** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO MAKE OTHER TAX LAW CHANGES RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE; TO PROVIDE FOR A REFUNDABLE EARNED INCOME TAX CREDIT EQUAL TO FIVE PERCENT OF THE FEDERAL CREDIT; TO EXTEND AND INCREASE THE SMALL BUSINESS HEALTH INSURANCE TAX CREDIT; TO DECREASE DISABLED VETERANS PROPERTY TAX; TO EXTEND TAX CREDITS FOR LOW-INCOME HOUSING AND MILL REHABILITATION; TO ESTABLISH A SALES TAX HOLIDAY FOR CERTAIN ENERGY STAR RATED APPLIANCES; TO ALLOW FOR A NONREFUNDABLE CREDIT FOR REINVESTMENT IN A MAJOR RECYCLING FACILITY AND TO SUNSET THE CREDIT FOR INVESTMENTS IN A LARGE OR MAJOR RECYCLING FACILITY; TO

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CREATE, SET, AND INCREASE VARIOUS FEES; AND TO AUTHORIZE SPECIAL OBLIGATION INDEBTEDNESS FOR VARIOUS CAPITAL PROJECTS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill with Committee Amendments No. 1, 2, 3, 4, 5.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 30723, which changes the title upon concurrence to read **H.B. 2436** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, is adopted and engrossed. Committee Amendments No. 1, 2, 3, 4, 5, are adopted.

Upon motion of Senator Garrou, the Senate Committee Substitute bill, with amendments, is re-referred to the **Pensions & Retirement and Aging Committee**.

The Senate recesses at 12:17 P.M. for the purpose of a Pensions & Retirement and Aging Committee meeting to reconvene at 12:27 P.M.

### RECESS

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

### CALENDAR *(continued)*

**S.B. 2045**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF KENANSVILLE, BELMONT, AND GRANITE QUARRY, upon third reading.

The bill, as amended by a material amendment on June 12, passes its third reading, by roll-call vote, ayes 41, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Berger of Franklin, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Soles, Stevens, Swindell, Tillman and Weinstein---41.

Voting in the negative: None.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

**S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE

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FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 18.

**S.B. 1628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 18.

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 18.

**S.B. 1952** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO REQUIRE THE DEPARTMENT OF REVENUE TO DOCUMENT CERTAIN VERBAL ADVICE GIVEN TO TAXPAYERS, TO ALLOW TAXPAYERS TO RELY ON DOCUMENTED VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, AND TO GIVE THE SECRETARY OF REVENUE MORE DISCRETION IN RESOLVING SALES AND USE TAX DISPUTES CONCERNING SMALL BUSINESSES.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 18.

**S.B. 2106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY SALES AND USE TAX REFUNDS FOR NONPROFIT ENTITIES, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Wednesday, June 18, upon third reading.

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**S.B. 2107** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR HOME CARE SERVICES.

Upon motion of Senator Clodfelter, the President orders, without objection, the Committee Substitute bill temporarily displaced.

**S.B. 1651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO LOWER THE MINIMUM AGE FOR DONATING BLOOD FROM SEVENTEEN TO SIXTEEN.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1695** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER WHO HOLD A CLASS C LICENSE TO OPERATE SPECIFIED VEHICLE COMBINATIONS; TO CLARIFY THE OPERATION OF VEHICLES WITH FARMER LICENSE PLATES; TO ELIMINATE MUNICIPAL CONCURRENCE FOR DESIGNATION OF CERTAIN TRUCK ROUTES; TO PROVIDE THAT FIFTY-THREE-FOOT SEMITRAILERS MAY OPERATE ON PRIMARY HIGHWAYS; TO PROVIDE THAT COMBINES UP TO TWENTY-FIVE FEET IN WIDTH MAY BE OPERATED ON SPECIFIED HIGHWAYS; TO CHANGE THE WIDTH LIMITS AND AUTHORIZED TIME OF OPERATION FOR TOWED BOAT TRAILERS; TO INCREASE SPECIFIED WEIGHT LIMITS FOR VEHICLES HAULING AGRICULTURAL CROPS AND COMPRESSED SEED COTTON; AND TO MODIFY THE WEIGHT EXCEPTION FOR VEHICLES TRANSPORTING RAW LOGS TO FIRST MARKET, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Senator Hoyle offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill No. 2, as amended, passes its second (47-0) and third readings and is ordered engrossed and sent to the House of Representatives.

## REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Dalton for the **Pensions & Retirement and Aging Committee**:

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**H.B. 2436** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, and Appropriations/Base Budget amendments, with a favorable report.

Upon motion of Senator Dalton, the Senate Committee Substitute bill, and amendments, is re-referred to the **Finance Committee**.

**CALENDAR** (*continued*)

**S.B. 1955** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL.

Senator Rand offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second (47-0) and third readings and is ordered engrossed and sent to the House of Representatives.

**S.B. 2113** (Committee Substitute ), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE SALES TAX REFUND FOR SALES AND USE TAXES PAID BY AN INTERSTATE PASSENGER AIR CARRIER AND TO EQUALIZE THE TAX TREATMENT BETWEEN HEATING SOURCES BY REDUCING THE STATE SALES TAX ON HOME HEATING FUEL TO ONE PERCENT.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1681** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE AUTOMOBILES IN THE STATE MOTOR FLEET TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, upon third reading.

The Committee Substitute bill passes its third reading (38-10) and is ordered sent to the House of Representatives.

**S.B. 1686** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE GROUNDS WITHIN A CERTAIN DISTANCE OF STATE-OWNED OR OPERATED BUILDINGS BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO DESIGNATE GROUNDS WITHIN A CERTAIN DISTANCE OF LOCALLY OWNED OR OPERATED BUILDINGS TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, upon third reading, as amended on second reading.

Senator Purcell offers Amendment No. 4 which is adopted (31-17).

The Committee Substitute bill, as amended, passes its third reading (33-15) and is ordered engrossed and sent to the House of Representatives.

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**S.B. 2107** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR HOME CARE SERVICES, temporarily displaced earlier today.

Senator Clodfelter offers Amendment No. 1 which is adopted (44-4).

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 44, noes 4, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Blake, Boseman, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell and Weinstein---44.

Voting in the negative: Senators Berger of Rockingham, Brock, Hunt and Tillman---4.

The Committee Substitute bill, as amended, remains on the Calendar for Wednesday, June 18, upon third reading.

The Senate recesses at 1:10 P.M. for the purpose of a Finance Committee meeting to reconvene at 1:15 P.M.

### **RECESS**

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

Upon motion of Senator Basnight, seconded by Senator Dalton, the Senate adjourns subject to introduction of bills, receipt of committee reports, and reading of messages from the House of Representatives, to meet Wednesday, June 18, at 2:00 P.M.

### **INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Graham; Albertson, Apodaca, Berger of Franklin, Berger of Rockingham, Boseman, Brunstetter, Cowell, Dannelly, Dorsett, East, Foriest, Goodall, Goss, Hagan, Hartsell, Hoyle, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Rand, Shaw, Snow, Stevens, and Swindell:

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**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Referred to the **Rules and Operations of the Senate Committee**.

#### **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 2279**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PERMIT EXEMPTION FOR OPEN FIRES WITHIN ONE HUNDRED FEET OF AN OCCUPIED DWELLING WITHIN THE LAKE ROYALE COMMUNITY.

Referred to the **State & Local Government Committee**.

**H.B. 2364**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.

Referred to the **Transportation Committee**.

**H.B. 2402**, A BILL TO BE ENTITLED AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE.

Referred to the **State & Local Government Committee**.

**H.B. 2585** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN.

Referred to the **Finance Committee**.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 2436** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, with a favorable report, as to Senate Appropriations/Base Budget Committee Substitute with amendments.

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Pursuant to Rule 45.1, Committee Amendments No. 1, 2, 3, 4, 5, adopted by the Senate Appropriations/Base Budget Committee earlier today are engrossed into a Senate Finance Committee Substitute, PCS 30724.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:53 P.M.

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**ONE HUNDRED THIRTY-FIFTH DAY**

Senate Chamber  
Wednesday, June 18, 2008

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

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

"Dear Lord, unfortunately everyone of us has encountered the two kinds of people I am about to describe. Those who have no important questions and others who have no significant answers. Answer people aren't interested in troubling questions. Why should they be, O God? They have enough answers to last a lifetime. Question people are disinterested in answers. To discover a satisfying answer would spoil their game. If we're serious about our faith journey, our relationship with you, both questions and answers are essential to maturity of that relationship. But neither second-hand questions nor hand-me-down answers will nourish us for very long. Help us to be deliberative and honest in the questions we ask and the answers we offer today. Amen."

The Chair grants a leave of absence for today to Senator Jenkins.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Donald Toatley from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Linda Brown from Durham, North Carolina, who is serving the Senate as Nurse of the Day.*

June 18, 2008

**CHAPTERED BILLS**

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 2189**, AN ACT TO PROVIDE DOMESTIC VIOLENCE VICTIMS WITH INFORMATION AND ASSISTANCE AND TO STUDY A STATEWIDE AUTOMATED NOTIFICATION SYSTEM FOR PERSONS WITH DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. (Became law upon approval of the Governor, June 17, 2008 - S.L. 2008-4.)

**S.B. 1579**, AN ACT AUTHORIZING THE TOWN OF CARY TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS. (Became law upon ratification, June 17, 2008 - S.L. 2008-5.)

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, upon second reading.

Upon motion of Senator Rand, the Senate Committee Substitute bill No. 2 is taken up out of its regular order of business.

Senator Hagan offers Amendment No. 1.

Senator Rand calls the previous question on the adoption of Amendment No. 1, seconded by Senator Clodfelter, which motion prevails (46-3).

Amendment No. 1 is adopted (47-2).

Senator Garrou offers Amendment No. 2.

Senator Rand calls the previous question on the adoption of Amendment No. 2, seconded by Senator Clodfelter, which motion prevails (36-13).

Amendment No. 2 is adopted (37-12).

Senator Rand offers Amendment No. 3.

Senator Queen offers Amendment No. 4 as a Substitute Amendment for Amendment No. 3.

Amendment No. 4 is adopted (49-0).

Senator Rucho offers Amendment No. 5.

Senator Garrou calls the previous question on the adoption of Amendment No. 5, seconded by Senator Clodfelter, which motion prevails (47-2).

Amendment No. 5 is adopted (49-0).

Senator Berger of Rockingham offers Amendment No. 6.

The President rules that Amendment No. 6 is not germane to the Senate Committee Substitute bill No. 2.

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Senator Tillman offers Amendment No. 7.

Senator Rand offers a motion that Amendment No. 7 lie upon the table, seconded by Senator Clodfelter, which motion prevails (30-19).

Senator Brown offers Amendment No. 8.

Senator Swindell offers a motion that Amendment No. 8 lie upon the table, seconded by Senator Clodfelter, which motion prevails (29-20).

Senator Rand calls the previous question on the passage of the Senate Committee Substitute bill No. 2, seconded by Senator Clodfelter, which motion prevails (30-18).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading, by roll-call vote, ayes 33, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Graham, Hagan, Hartsell, Hoyle, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Snow, Soles, Stevens, Swindell and Weinstein--33.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rucho, Smith and Tillman--16.

The Senate Committee Substitute bill No. 2 remains on the Calendar for Thursday, June 19, upon third reading.

The Senate recesses at 3:50 P.M. to reconvene at 3:55 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.

### CALENDAR *(continued)*

**S.B. 2106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY SALES AND USE TAX REFUNDS FOR NONPROFIT ENTITIES, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--48.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

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**S.B. 2107** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR HOME CARE SERVICES, upon third reading, as amended on second reading.

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 34, noes 15, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Graham, Hagan, Hartsell, Hoyle, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Snow, Soles, Stevens, Swindell and Weinstein---34.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rucho, Smith and Tillman---15.

The Committee Substitute bill, as amended, is ordered engrossed sent to the House of Representatives.

**S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP, upon second reading.

Senator Hoyle offers Amendment No. 1 which is adopted (49-0), and changes the title to read **S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS

WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP; AND TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The Committee Substitute bill, as amended, remains on the Calendar for Thursday, June 19, upon third reading.

**S.B. 1628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX.

The bill passes its second reading (38-9).

Senator Berger of Franklin objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for Thursday, June 19, upon third reading.

**S.B. 1952** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO REQUIRE THE DEPARTMENT OF REVENUE TO DOCUMENT CERTAIN VERBAL ADVICE GIVEN TO TAXPAYERS, TO ALLOW TAXPAYERS TO RELY ON DOCUMENTED VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, AND TO GIVE THE SECRETARY OF REVENUE MORE DISCRETION IN RESOLVING SALES AND USE TAX DISPUTES CONCERNING SMALL BUSINESSES.

The Committee Substitute bill passes its second reading (49-0).

Senator Hoyle objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for Thursday, June 19, upon third reading.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

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**H.J.R. 2790**, A JOINT RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF THE 2007 PLYMOUTH HIGH SCHOOL FOOTBALL TEAM.

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

The joint resolution passes its second (45-0) and third readings and is ordered enrolled.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 1840**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES, referred to the **Finance Committee** on Thursday, May 22.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Finance Committee** and re-referred to the **State & Local Government Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Finance Committee** and re-refers the measure to the **State & Local Government Committee**.

#### ADDITIONAL SPONSORS

Senator Atwater requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator Garrou requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 1952**, A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO HELP SMALL BUSINESSES UNDERSTAND THE COMPLEXITIES OF THE SALES AND USE TAX LAWS BY REQUIRING CONSULTATION FROM THE DEPARTMENT OF REVENUE, AND TO ALLOW ALL TAXPAYERS TO RELY ON VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE.

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Upon motion of Senator Dannelly, seconded by Senator Bingham, the Senate adjourns subject to introduction of bills and reading of messages from the House of Representatives, to meet Thursday, June 19, at 10:00 A.M.

### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Brock; Apodaca, Berger of Rockingham, East, Hunt and Jacumin:

**S.J.R. 2166**, A JOINT RESOLUTION AUTHORIZING THE 2007 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE THE CRIMINAL OFFENSE OF SIMPLE ASSAULT A FELONY RATHER THAN A MISDEMEANOR WHEN THE SIMPLE ASSAULT IS COMMITTED AGAINST A LAW ENFORCEMENT OFFICER, A FIREFIGHTER, OR EMERGENCY PERSONNEL.

Referred to the **Rules and Operations of the Senate Committee**.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.B. 2255**, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDGEcombe, NASH, AND WILSON COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

Referred to the **State & Local Government Committee**.

**H.B. 2444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS.

Referred to the **State & Local Government Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 5:42 P.M.

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**ONE HUNDRED THIRTY-SIXTH DAY**

Senate Chamber  
Thursday, June 19, 2008

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

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

"Dear Lord, we begin our prayer this morning remembering the wife and children of Highway Patrolman Blanton in Haywood County who was killed in the line of duty on Tuesday night. We pray for his family and ask that you give them strength and healing during this difficult time. I listened yesterday over the internet as the Senators debated the budget proposal. It was civil and thoughtful debate and I prayed grateful for the almost incomprehensible sums of money to be appropriated for the good it will do. In the end this money will not be divided up to everyone's satisfaction. That is almost always the way it is. That is when I prayed, grateful for what I know about the men and women here. For they are inclined to fill the gaps with something greater than money, receptive listening, encouraging words, acts of kindness. Because the deepest need we have as constituents is really to be known. Amen."

The Chair grants leaves of absence for today to Senator Bingham, Senator Graham and Senator Jenkins.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, June 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Charles Boyette from Belhaven, North Carolina, who is serving the Senate as Doctor of the Day, and to Kelly Allen from Harrells, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1662**, AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF NURSING AND APPROVED BY THE RULES REVIEW COMMISSION.

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

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**H.J.R. 2790**, A JOINT RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF THE 2007 PLYMOUTH HIGH SCHOOL FOOTBALL TEAM. (Res. 14)

The Senate recesses at 10:12 A.M. to reconvene at 10:30 A.M.

### RECESS

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

### CALENDAR

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

**S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP, upon third reading, as amended on second reading and changes the title to read **S.B. 1755** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE CREDITS FOR RESEARCH AND DEVELOPMENT, LOW-INCOME HOUSING, MILL REHABILITATION, AND THE STATE PORTS AUTHORITY; TO CONFORM TO CHANGES IN THE INTERNAL REVENUE CODE AND TO REQUIRE AN ADDBACK OF EIGHTY-FIVE PERCENT OF BONUS DEPRECIATION; TO CLOSE FRANCHISE TAX LOOPHOLES BY REQUIRING A LIMITED LIABILITY COMPANY THAT ELECTS TO BE TREATED AS A CORPORATION AND A CAPTIVE REIT TO PAY FRANCHISE TAX; AND TO REQUIRE PUBLICLY TRADED PARTNERSHIPS TO GIVE THE DEPARTMENT OF REVENUE A LIST OF THE PARTNERS WHO RECEIVED MORE THAN FIVE HUNDRED DOLLARS OF INCOME FROM THE PARTNERSHIP; AND TO INCREASE THE STATEWIDE CAP ON THE QUALIFIED BUSINESS VENTURE TAX CREDIT, upon third reading, as amended on second reading.

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Blake, Boseman, Brock,

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Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

**H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, upon third reading, as amended on second reading.

Senator Forrester announces a pair vote. If Senator Bingham were present, he would vote "aye"; Senator Forrester votes "no".

Senator East announces a pair vote. If Senator Graham were present, he would vote "aye"; Senator East votes "no".

The Senate Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 31, noes 14, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hagan, Hartsell, Hoyle, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Snow, Soles, Stevens, Swindell and Weinstein---31.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Goodall, Hunt, Jacumin, Preston, Rucho, Smith and Tillman--14.

The Senate Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives by special message for concurrence.

#### **REMARKS BY SENATOR BROCK**

Under Article II, Section 18 of the North Carolina Constitution, Senator Brock requests that his remarks of his protest to House Bill 2436 (Senate Committee Substitute No. 2) be spread upon the Journal, as follows:

Ms. Janet Pruitt  
Senate Principal Clerk  
North Carolina Senate

Dear Ms. Pruitt:

#### **PROTEST**

The North Carolina Constitution grants every member of the General Assembly the right to protest an action which they believe is "injurious to the public." N.C. CONST. rt. I, § 12.. Today, I exercise that right and protest the Senate's passage

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of the 2008 state budget, H.B. 2436, 2007 Gen. Assem., Short Sess. (N.C. 2008). Though the budget is rife with problems, two provisions are particularly harmful to the health and safety of the people of our state: Section 10.12, deceptively titled "Expand Health Choice/NC Kids' Care," expands taxpayer-funded abortions and Section 19.3 requires the state to purchase bottled water in biodegradable bottles in the name of a clean environment but actually jeopardizes our entire recycling system. I cannot, in good conscience, support this budget or let my protest go unheard.

Taxpayer money should not be used to fund abortions. Regardless of one's personal belief on the right to life, there is generally a broad consensus that requiring pro-life citizens to contribute their hard-earned tax dollars to support the evil of abortion is wrong. Though there is a long-established precedent of prohibiting the use of taxpayer money to fund abortions--as is the case with our state Medicaid program--Section 10.12 allows for such expenditures. The Senate budget writers have neglected to put a similar prohibition on the NC Kids' Care program. I find it ironic that a program designed to provide healthcare for children can be used to pay for abortions.

When the Senate version of the budget was debated, I was prepared to offer an amendment which would close this loophole. My amendment would have mandated that NC Kids' Care spending be for life *saving* measures, not life *taking* measures. Unfortunately, the Senate leadership prohibited me from introducing this common-sense, fair-minded amendment. I can only conclude that the majority in the Senate *wanted* this loophole to remain open. Indeed, I believe this is a deliberate and clandestine attempt to make the taxpayers of North Carolina complicit in the destruction of the unborn. I cannot imagine anything more "injurious to the public" and strongly protest the actions of the Senate.

I also protest the Senate budget based on the ill-conceived requirement that the state provide drinking water in biodegradable bottles. Though it claims to be a more environmentally friendly practice, recent reports indicate these types of bottles are in fact an impediment to recycling. The Coca-Cola Company, one of the largest purveyors of bottled drinks in the world, has been hesitant to use biodegradable bottles. An article entitled "Cokes PET Project" in *Brandweek*, a marketing industry publication, stated that given current recycling process, biodegradable bottles may do more harm than good. Since the bottles appear to be identical to standard bottles, people often throw them into regular recycling bins. When the biodegradable bottles are sent through the recycling process they often damage the machines. There is currently no reliable process in place for separating the two types of bottles.

In short, the Senate's budget proposal mandates the use of biodegradable bottles to protect the environment, but inadvertently harms the environment by causing machines to break, thereby slowing down the recycling process. Though perhaps well intentioned, this provision in the Senate budget will not accomplish what it is intended to do while at the same time costing taxpayers more money.

There are many things wrong with the Senate's budget. I could vote against it for many reasons, but a health program that potentially increases abortions in

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North Carolina and biodegradable bottles that cost the taxpayers more money but do nothing for the environment truly stand out. I do not exercise lightly my right to protest; however, these problems with the state budget are truly injurious to the public. They cost lives and waste money and I cannot in good conscience support them.

S/Andrew C. Brock  
North Carolina Senate

#### **CALENDAR** (*continued*)

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX.

Senator Berger of Franklin offers Amendment No. 1.

Upon motion of Senator Berger of Franklin, the President orders, without objection, the bill with Amendment No. 1 pending, temporarily displaced.

**S.B. 1952** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT SMALL BUSINESSES FROM CERTAIN SALES AND USE TAX ASSESSMENTS, TO REQUIRE THE DEPARTMENT OF REVENUE TO DOCUMENT CERTAIN VERBAL ADVICE GIVEN TO TAXPAYERS, TO ALLOW TAXPAYERS TO RELY ON DOCUMENTED VERBAL ADVICE FROM THE DEPARTMENT OF REVENUE, AND TO GIVE THE SECRETARY OF REVENUE MORE DISCRETION IN RESOLVING SALES AND USE TAX DISPUTES CONCERNING SMALL BUSINESSES.

The Committee Substitute bill passes its third reading (46-0) and is ordered sent to the House of Representatives.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Rand:

**S.R. 2167**, A SENATE RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF DR. OLIVER SMITHIES, 2007 NOBEL PRIZE WINNER.

The Senate Resolution is placed on the Calendar for Wednesday, June 25.

The Senate recesses at 11:15 A.M. to reconvene at 11:25 A.M.

#### **RECESS**

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

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**CALENDAR** (*continued*)

**S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX, temporarily displaced earlier today with Amendment No. 1 pending.

Senator Berger of Franklin withdraws Amendment No. 1.

Senator Berger of Franklin offers Amendment No. 2 which is adopted (35-9), and changes the title to read **S.B. 1951**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR ALL COUNTIES TO LEVY A FOUR-TENTHS PERCENT LOCAL LAND TRANSFER TAX, AND TO ALLOW COUNTIES TO RESTRICT USE OF THE ADDITIONAL ONE-QUARTER CENT SALES TAX TO AN ENUMERATED PURPOSE OR PURPOSES.

The bill, as amended, passes its second (38-6) and third readings and is ordered engrossed and sent to the House of Representatives.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
June 19, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute No. 2 for **H.B. 2436**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, and requests conferees.

Speaker Hackney has appointed:

Representative Michaux, Co-Chair  
Representative Adams, Co-Chair  
Representative M. Alexander, Co-Chair  
Representative Crawford, Co-Chair  
Representative Haire, Co-Chair  
Representative Jeffus, Co-Chair  
Representative Tolson, Co-Chair  
Representative Yongue, Co-Chair  
Representative Holliman, Co-Chair, and  
Representative Owens, Co-Chair

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## Subcommittee on Capital:

Representative Womble  
Representative Owens  
Representative Church  
Representative Ross, and  
Representative Grady

## Subcommittee on Education:

Representative Glazier  
Representative McLawhorn  
Representative Rapp  
Representative Bell  
Representative Lucas  
Representative Parmon  
Representative Wiley  
Representative Tarleton, and  
Representative Johnson

## Subcommittee on General Government:

Representative Goforth  
Representative Underhill  
Representative Braxton  
Representative Steen  
Representative Fisher  
Representative Pierce  
Representative Tucker, and  
Representative Walker

## Subcommittee on Health and Human Services:

Representative Earle  
Representative England  
Representative Insko  
Representative Barnhart  
Representative Brisson  
Representative Coleman  
Representative Weiss, and  
Representative Thomas

## Subcommittee on Justice and Public Safety:

Representative Bordsen  
Representative Love  
Representative Goodwin  
Representative Kiser  
Representative Mobley  
Representative Spear  
Representative Sutton  
Representative R. Warren, and  
Representative Ray

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## Subcommittee on Natural and Economic Resources:

Representative McAllister  
Representative E. Warren  
Representative Bryant  
Representative Harrison  
Representative Justice  
Representative Wilkins  
Representative Wray, and  
Representative Langdon

## Subcommittee on Transportation:

Representative Coates  
Representative Cole  
Representative Allen  
Representative Blue  
Representative Dickson  
Representative T. Harrell  
Representative Dockham  
Representative Martin  
Representative Saunders  
Representative Williams  
Representative J. Harrell  
Representative Current, and  
Representative Carney

## Subcommittee on Finance:

Representative Luebke  
Representative Gibson  
Representative Wainwright  
Representative Weiss  
Representative Carney  
Representative Cotham  
Representative Faison  
Representative Farmer-Butterfield  
Representative Hall  
Representative Hill  
Representative Howard  
Representative Jones  
Representative McComas  
Representative Ross  
Representative McGee  
Representative Setzer, and  
Representative Holliman

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on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### APPOINTMENT OF CONFERENCE COMMITTEE

**H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 2436 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore* announces the appointment of Senator Garrou, Co-Chair; Senator Albertson, Co-Chair; and Senator Dannelly, Co-Chair; Senator Atwater, Senator Berger of Franklin, Senator Bingham, Senator Boseman, Senator Clodfelter, Senator Cowell, Senator Dalton, Senator Dorsett, Senator Foriest, Senator Goss, Senator Graham, Senator Hagan, Senator Hartsell, Senator Hoyle, Senator Jones, Senator Kerr, Senator Kinnaird, Senator Malone, Senator McKissick, Senator Nesbitt, Senator Purcell, Senator Queen, Senator Rand, Senator Shaw, Senator Snow, Senator Soles, Senator Stevens, Senator Swindell and Senator Weinstein as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Basnight, seconded by Senator Nesbitt, the Senate adjourns at 12:03 P.M. to meet Monday, June 23, at 7:00 P.M.

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#### ONE HUNDRED THIRTY-SEVENTH DAY

Senate Chamber  
Monday, June 23, 2008

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

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

"We begin this week, Lord, admittedly focusing attention on the Senate and House Conferees, praying for them as they work toward agreement on the

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State's budget. But we would not want it to be lost to our memory that an hour ago an historical marker was unveiled at the Union Baptist Church in Durham. The marker honors seven African American people who protested the policy of segregation at the Royal Ice Cream Parlor fifty-one years ago today. What those courageous North Carolinians did against great odds began a process, though painful, that changed the culture of our State and our Nation and even the world for the better. Remembering these persons and such an event is just not enough. We pray that you would give each of us a small measure of the courage and conviction displayed all those years ago so that we may defend the principals and strong beliefs for which we are willing to draw a line in the sand. Thank you for them and for your promise to us. Amen."

The Chair grants leaves of absence for tonight to Senator Brown, Senator Cowell, Senator Dalton, Senator East, Senator Forrester, Senator Goodall, Senator Graham, Senator Jenkins, Senator Rucho and Senator Smith.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Thursday, June 19, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Elizabeth Kanof from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Cathy Poole from Garner, North Carolina, who is serving the Senate as Nurse of the Day.*

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1653**, AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, SMITHFIELD, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE.

**S.B. 2136**, AN ACT TO EXEMPT THE CITY OF CONCORD FROM STATUTORY REQUIREMENTS GOVERNING PUBLIC CONTRACTING WITH RESPECT TO THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE PROJECTS.

#### **WITHDRAWAL FROM COMMITTEE**

**S.B. 2056**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND

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OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES, referred to the **Appropriations/Base Budget Committee** on Wednesday, May 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Finance Committee**.

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL, referred to the **Rules and Operations of the Senate Committee** on Wednesday, May 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Thursday, June 26, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Thursday, June 26.

#### APPOINTMENT OF ADDITIONAL CONFERE

**H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007.

Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Jenkins as an additional conferee on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Upon motion of Senator Dannelly, seconded by Senator Weinstein, the Senate adjourns subject to reading of messages from the House of Representatives, to meet Tuesday, June 24, at 2:00 P.M.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**S.B. 132** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A

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REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, June 24, for concurrence.

**S.B. 1358** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT," for concurrence in House Amendment No. 1.

The Committee Substitute bill No. 2, as amended, is placed on the Calendar for Tuesday, June 24, for concurrence.

**S.B. 1828** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE, WADESBORO, AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES, for concurrence in the House Committee Substitute bill.

Referred to the **State & Local Government Committee**.

**H.B. 2095**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF PINEHURST TO ADOPT ORDINANCES REGULATING GOLF CARTS.

Referred to the **State & Local Government Committee**.

**H.B. 2127**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, SO AS TO SAVE FUNDS AND AVOID DUPLICATION.

Referred to the **Health Care Committee**.

**H.B. 2155**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH.

Referred to the **State & Local Government Committee**.

**H.B. 2186** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING ADULT BIOLOGICAL SIBLINGS OF ADULT ADOPTEES, ADULT BIOLOGICAL HALF SIBLINGS OF ADULT ADOPTEES, ADULT FAMILY MEMBERS OF DECEASED ADOPTEES, AND ADULT FAMILY MEMBERS OF DECEASED BIOLOGICAL PARENTS TO HAVE ACCESS TO CONFIDENTIAL INTERMEDIARY SERVICES AND TO ALLOW AN AGENCY ACTING AS A CONFIDENTIAL INTERMEDIARY TO OBTAIN A COPY OF A DEATH CERTIFICATE OF THE PERSON WHO IS THE



SUBJECT OF THE SEARCH AND DELIVER IT TO THE PERSON REQUESTING SERVICES AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ADOPTEE BIRTH CERTIFICATES.

Referred to the **Judiciary I Committee**.

**H.B. 2267**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES.

Referred to the **Finance Committee**.

**H.B. 2271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE "QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD.

Referred to the **Finance Committee**.

**H.B. 2280** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, CITY OF WILMINGTON, AND THE TOWN OF BEULAVILLE TO REGULATE GOLF CARTS ON PUBLIC STREETS OR HIGHWAYS WITHIN THAT UNIT OF LOCAL GOVERNMENT'S JURISDICTION.

Referred to the **State & Local Government Committee**.

**H.B. 2288**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2306** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION.

Referred to the **Education/Higher Education Committee**.

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**H.B. 2347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

Referred to the **State & Local Government Committee**.

**H.B. 2390**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

Referred to the **Judiciary II Committee**.

**H.B. 2451** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR VOLUNTEER FIREMEN IN THE TOWN OF ELKIN AND TO REPEAL THE PROVISIONS PROVIDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF BURLINGTON.

Referred to the **Pensions & Retirement and Aging Committee**.

**H.B. 2487** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**H.B. 2492** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.

Referred to the **Judiciary II Committee**.

**H.B. 2579**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT.

Referred to the **State & Local Government Committee**.

**H.B. 2614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF STOVALL TO PARTICIPATE IN THE LOCAL

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GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES.

Referred to the **Pensions & Retirement and Aging Committee**.

**H.B. 2726**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE AND UNENFORCEABLE PROVISION OF THE POLKVILLE TOWN CHARTER.

Referred to the **State & Local Government Committee**.

**H.B. 2728**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES.

Referred to the **Pensions & Retirement and Aging Committee**.

**H.B. 2765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE.

Referred to the **Finance Committee**.

**H.B. 2769**, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO.

Referred to the **Finance Committee**.

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Referred to the **Pensions & Retirement and Aging Committee**.

**H.B. 2777** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY.

Referred to the **State & Local Government Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 7:44 P.M.

**ONE HUNDRED THIRTY-EIGHTH DAY**

Senate Chamber  
Tuesday, June 24, 2008

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

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

"Dear God, I have a confession to make. I had an unsettling confrontation with a mean-spirited parishioner over the weekend. While I was still mad and licking my wounds and defending my actions, you reminded me of this story, maybe to ease my pain a little. A preacher awoke one morning to find a dead mule on the highway in front of his home. He called the county health department, identifying himself as Reverend Jones and said, 'There's a dead mule on the road in front of my house and I would appreciate having it removed as soon as possible.' The young clerk who answered the call thought he would have a little fun. 'Reverend, I always thought you preachers took care of the dead yourselves.' The preacher recognized the kidding, but he didn't let on. His reply was serious. 'We do, yes we do take care of the dead. But in the case of jackasses, we like to speak to the next of kin first.' Lord, having confessed to such a thought, now I feel better. In case a similar catharsis is needed by a member here, I hope he or she also feels better and forgiven, too."

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Monday, June 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Walter Pories from Macclesfield, North Carolina, who is serving the Senate as Doctor of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1989**, AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY.

**S.B. 2138**, AN ACT TO REPEAL AN AMENDMENT TO THE CHARTER OF THE TOWN OF STONEVILLE PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND MEMBERS OF THE TOWN COUNCIL.

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**CHAPTERED BILLS**

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1653**, AN ACT AUTHORIZING THE CITIES OF LOUISBURG AND MOUNT AIRY AND THE TOWNS OF FRANKLINTON, PINETOPS, SMITHFIELD, AND YADKINVILLE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, June 23, 2008 - S.L. 2008-6.)

**S.B. 2136**, AN ACT TO EXEMPT THE CITY OF CONCORD FROM STATUTORY REQUIREMENTS GOVERNING PUBLIC CONTRACTING WITH RESPECT TO THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE PROJECTS. (Became law upon ratification, June 23, 2008 - S.L. 2008-7.)

**WITHDRAWAL FROM COMMITTEE**

**S.B. 2015**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS AND TO APPROPRIATE ADDITIONAL FUNDING FOR THE SCHOOL OF THE ARTS, re-referred to the **Appropriations/Base Budget Committee** on Wednesday, June 4.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the bill be withdrawn from the **Appropriations/Base Budget Committee** and places it on today's Calendar.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1679**, A BILL TO BE ENTITLED AN ACT ALLOWING JOINT MUNICIPAL ASSISTANCE AGENCIES TO MAKE AND EXECUTE CONTRACTS FOR PERIODS GREATER THAN THREE YEARS TO ACHIEVE ECONOMY, ADEQUACY, AND RELIABILITY, with a favorable report.

**S.B. 2063**, A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE

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STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE TO CHARGE FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85474, which changes the title to read **S.B. 2063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO MAKE IT UNLAWFUL TO TAMPER WITH A DEVICE, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE CHARGED FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

**H.B. 2529** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60537, is adopted and engrossed.

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By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2178**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

**H.B. 2287** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.J.R. 2161**, A JOINT RESOLUTION RECOGNIZING THE SIXTIETH ANNIVERSARY OF THE SIGNING OF PUBLIC LAW 557, WHICH MADE THE CIVIL AIR PATROL THE OFFICIAL AUXILIARY OF THE UNITED STATES AIR FORCE, AND HONORING THE LIFE AND SERVICE OF CHAPLAIN ROYCE A. BEACHAM, ONE OF THE FINEST MEMBERS OF THE CIVIL AIR PATROL.

Upon motion of Senator Hunt, the joint resolution is read in its entirety.

The joint resolution passes its second reading (49-0) and third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Hunt, the President extends the courtesies of the gallery to the following members of the Civil Air Patrol: Colonel Larry Ragland, North Carolina Wing Commander; Lieutenant Colonel Lucy Davis, Director, CC&PS/CAP; Major Toby Wall, North Carolina Wing Group Two Commander; Captain David Oldham, Middle East Region Deputy Chief of Staff; Captain Rick Schoffner, W-S Composite Squadron; Lieutenant Don Penven, North Carolina Wing Deputy Public Affairs Director; General Rudy Rudisill, CC&PS; and Thomas Cane, CC&PS.

**S.B. 132** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL

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NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Dalton, the Senate fails to concur in the House Committee Substitute bill (0-50).

Senator Dalton offers a motion that the Senate appoint conferees, which motion prevails.

The Chair orders a message sent to the House of Representative informing that Honorable Body of such action.

**S.B. 1358** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT," for concurrence in House Amendment No. 1.

Upon motion of Senator Graham, the Senate concurs in House Amendment No. 1, (50-0) and the Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Graham for the **State & Local Government Committee**:

**S.B. 1706**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY, with a favorable report.

**S.B. 2130**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION, with a favorable report.

**S.B. 2157**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY, with a favorable report.

**H.B. 2121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM, ON, OR ACROSS THE RIGHT-OF-WAY OF AN IMPROVED STATE-MAINTAINED ROAD OR HIGHWAY IN JACKSON COUNTY, WITH ONE EXCEPTION, with a favorable report.

**H.B. 2122** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN JACKSON COUNTY, with a favorable report.

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**S.B. 1957**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SUBJECT MATTER AND TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY POLICE WITHIN WAKE COUNTY AND THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES FOR PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND LOCAL, STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55753, which changes the title to read **S.B. 1957** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES, is adopted and engrossed.

**S.B. 2123**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65394, is adopted and engrossed.

#### **CALENDAR** *(continued)*

**S.B. 2015**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS AND TO APPROPRIATE ADDITIONAL FUNDING FOR THE SCHOOL OF THE ARTS, placed earlier on today's Calendar.

Senator Garrou offers Amendment No. 1 which is adopted (50-0), and changes the title to read **S.B. 2015**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS.

The bill, as amended, passes its second (50-0) and third readings and is ordered engrossed and sent to the House of Representatives.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 132** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY

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AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 132 earlier today and the motion to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Dalton, Chair, Senator Berger of Franklin and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

To'shawn Adams, Gastonia; Mike Aiken, Winston-Salem; Kevin Bradley, Raleigh; Stephen Clark, Southern Pines; Sean Corcoran, New Bern; Hayden Eldridge, Hickory; Ellen Elmore, Goldsboro; Thomas Elmore IV, Goldsboro; Ethan Henderson, Pollocksville; Lexi Hergeth, Apex; TJ Hoyt, Hickory; Morgan Jeffreys, Goldsboro; Mary Joyner, Raleigh; Ilan Levine, Providence, Rhode Island; Alan Little, Gastonia; Iesha Lowery, Gastonia; Kristin Miller, Greensboro; Amanda Mintz, Wendell; Trevor Newman, Summerfield; William Rollings II, Fuquay-Varina; Jake Roy, Hope Mills; Saluum Simpson, Greensboro; Heather Smith, Gastonia; Jake Smith, Wake Forest; Tiffany Tetterton, Winterville; Charlie Umstead, Jr., Goldsboro; Georgia Van de Zande, Raleigh; Shardai Webb, Wake Forest; Malik Webb, Wake Forest; and Billy Wiggins, Gastonia.

Upon motion of Senator Basnight, seconded by Senator Kinnaird, the Senate adjourns subject to receipt of committee reports and reading of messages from the House of Representatives, to meet Wednesday, June 25, at 2:00 P.M.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1977**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF LELAND TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

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**H.B. 2084**, A BILL TO BE ENTITLED AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS, with a favorable report.

**H.B. 2091**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES, with a favorable report.

**H.B. 2449**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS, with a favorable report.

**H.B. 2455** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN, with a favorable report.

**H.B. 2585** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN, with a favorable report.

**H.B. 2689**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX, with a favorable report.

**H.B. 2762**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT FOR RANDOLPH COUNTY TO ACCEPT PAYMENT OF THE FEE CHARGED BY THE COUNTY SHERIFF FOR OFFENDERS ORDERED TO PARTICIPATE IN PRETRIAL ELECTRONIC MONITORING, with a favorable report.

**H.B. 2765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE, with a favorable report.

**H.B. 2769**, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO, with a favorable report.

**H.B. 2783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL

THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, with a favorable report.

**H.B. 2785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY, with a favorable report.

**S.B. 1716**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING, AS REQUESTED BY THE LEAGUE OF MUNICIPALITIES AND THE SOUTHEAST ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55754, which changes the title to read **S.B. 1716** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING AND TO CLARIFY THAT THE SERVICE AREA OF A CITY INCLUDES ANY AREA SUBSEQUENTLY ANNEXED BY THAT CITY, is adopted and engrossed.

**S.B. 1968**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15304, is adopted and engrossed.

**S.B. 2056**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15305, is adopted and engrossed.

**S.B. 2117** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS, with an

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unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 75588, is adopted and engrossed.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**S.B. 212** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 25, for concurrence.

**H.B. 2123**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY.

Referred to the **State & Local Government Committee**.

**H.B. 2575**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION.

Referred to the **Finance Committee**.

**H.B. 2634**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN CASWELL COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE.

Referred to the **State & Local Government Committee**.

**H.B. 2738**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE.

Referred to the **State & Local Government Committee**.

**H.B. 2748** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT.

Referred to the **State & Local Government Committee**.

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**H.B. 2759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FRANKLINTON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S OVERGROWN VEGETATION ORDINANCE.

Referred to the **State & Local Government Committee**.

**H.B. 2760**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN STOKES COUNTY.

Referred to the **State & Local Government Committee**.

**H.B. 2770** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITIES OF WINSTON-SALEM AND ASHEBORO FOR CONSTRUCTION OR REPAIR PROJECTS.

Referred to the **State & Local Government Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**S.B. 1924**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85484, which changes the title to read **S.B. 1924** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE

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DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is adopted and engrossed.

**S.B. 1946**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75590, which changes the title to read **S.B. 1946** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE, is adopted and engrossed.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
Monday, June 23, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that Speaker Hackney has made the following changes to the Conference Committee for **H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007.

Representative Wil Neumann has been added to the Subcommittee on Health and Human Services.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**S.B. 1627**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85485, is adopted and engrossed.

**S.B. 1746**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A DANIEL STOWE BOTANICAL GARDEN SPECIAL REGISTRATION PLATE FOR THE DANIEL STOWE BOTANICAL GARDEN FOUNDATION, INC, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55756, which changes the title to read **S.B. 1746** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE FOURTEEN NEW SPECIAL REGISTRATION PLATES, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:57 P.M.

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**ONE HUNDRED THIRTY-NINTH DAY**

Senate Chamber  
Wednesday, June 25, 2008

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

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

"Dear God, tough decisions could be made more easily if we were able to view life from the mountaintop everyday. We could see where we have been and where we are going. After all we have learned from our spiritual teachers, that the mountaintop is where we find you all high and lifted up. Why then is most of life lived somewhere on the road between the deepest valley and the mountain top, where we must make choices of direction and decision with a great deal of

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ambiguity, not able to see around the next curve. It just might be that in our frustration and confusion we are compelled to call out to you in faith, and to our surprise, we find you are right along side of us, not high and lifted up. We just haven't looked low enough. As the prophet Isaiah said, 'You are bringing low the mountains and making the crooked places straight.' What a great word of encouragement today wherever we are on our journey. Amen."

The Chair grants a leave of absence for today to Senator Graham.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Chanson DeVaul from Wilson, North Carolina, who is serving the Senate as Doctor of the Day, and to Bev Yuhasz from Hillsborough, North Carolina, who is serving the Senate as Nurse of the Day.*

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1358**, AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT."

**S.B. 1876**, AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION.

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

**S.B. 1748**, AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES.

**S.B. 1843**, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH.

**S.J.R. 2161**, A JOINT RESOLUTION RECOGNIZING THE SIXTIETH ANNIVERSARY OF THE SIGNING OF PUBLIC LAW 557, WHICH MADE

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THE CIVIL AIR PATROL THE OFFICIAL AUXILIARY OF THE UNITED STATES AIR FORCE, AND HONORING THE LIFE AND SERVICE OF CHAPLAIN ROYCE A. BEACHAM, ONE OF THE FINEST MEMBERS OF THE CIVIL AIR PATROL. (Res. 15)

### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1989**, AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN CRAVEN COUNTY. (Became law upon ratification, June 24, 2008 - S.L. 2008-8.)

**S.B. 2138**, AN ACT TO REPEAL AN AMENDMENT TO THE CHARTER OF THE TOWN OF STONEVILLE PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND MEMBERS OF THE TOWN COUNCIL. (Became law upon ratification, June 24, 2008 - S.L. 2008-9.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 545**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51020, which changes the title upon concurrence to read **H.B. 545** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO

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THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS, is adopted and engrossed.

**H.B. 1003** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 51019, which changes the title upon concurrence to read **H.B. 1003** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR AND TO PROVIDE THAT A COURT MAY EXTEND OR MODIFY, is adopted and engrossed.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 2492** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, referred to the **Judiciary II Committee** on Monday, June 23.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Judiciary II Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Judiciary II Committee** and re-refers the measure to the **Judiciary I Committee**.

**S.B. 1828** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE, WADESBORO,

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AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES, referred to the **State & Local Government Committee** on Monday, June 23.

Pursuant to Rule 47(a), Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the **State & Local Government Committee** and placed on the Calendar for Thursday, June 26, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the **State & Local Government Committee** and places it on the Calendar for Thursday, June 26.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Purcell for the **Health Care Committee**:

**H.B. 2127**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, SO AS TO SAVE FUNDS AND AVOID DUPLICATION, with a favorable report.

**S.B. 1892**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE AND FUND THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55759, which changes the title to read **S.B. 1892** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1936**, A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE CLEANUP OF RELEASES AND

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DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS, (2) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS, (3) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS, (4) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS, AND (5) TO MAKE OTHER IMPROVEMENTS TO THE UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15302, which changes the title to read **S.B. 1936** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION;

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AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

Upon motion of Senator Atwater, the Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator East for the **State & Local Government Committee**:

**S.B. 1845**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15303, is adopted and engrossed.

**S.B. 1948**, A BILL TO BE ENTITLED AN ACT ALLOWING DUPLIN COUNTY TO GARNISH WAGES FOR DEBTS OWED TO THE COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85479, which changes the title to read **S.B. 1948** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING DUPLIN AND GREENE COUNTIES TO GARNISH WAGES FOR DEBTS OWED TO THE COUNTY, is adopted and engrossed.

Upon motion of Senator East, the Committee Substitute bill is re-referred to the **Finance Committee**.

**S.B. 2122**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CAMPUS POLICE FOR A PRIVATE ELEMENTARY, MIDDLE, OR HIGH SCHOOL IN DURHAM COUNTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65392, is adopted and engrossed.

By Senator Swindell for the **Education/Higher Education Committee**:

**H.B. 1076** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60540, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

June 25, 2008

**SENATE EDUCATION/HIGHER EDUCATION COMMITTEE  
2007-2008**

Senator A.B. Swindell, Senior Chair  
Room 629, LOB  
Raleigh, NC  
(919) 715-3030

June 25, 2008

MEMORANDUM

TO: Members of the Senate

FROM: Senator Swindell, Senior Chair

RE: The State Board of Community Colleges Election

Pursuant to G.S. 115D-2.1(b)(4)e. and f., the Senate Education/Higher Education Committee met on June 25, 2008, the majority of members being present, and submits the following nominee to be considered by the Senate for election to fill a vacant seat on the State Board of Community Colleges for membership to a term to expire June 30, 2011.

Naomi Daggs

No additional nominees shall be received from the floor. The above nominee is legally qualified to serve and is willing to serve if elected.

S/A.B. Swindell, Senior Chair  
Education/Higher Education Committee

*The Chair grants a leave of absence for the remainder of today's session to Senator Cowell.*

**RECOGNITION OF DR. OLIVER SMITHIES**

With unanimous consent, upon motion of Senator Dannelly, privileges of the floor are extended to Dr. Oliver Smithies, Recipient of the 2007 Nobel Prize, Dr. Bill Roper, Dean of the UNC Medical School, and Chancellor James Moeser. Senator Atwater, Senator Dalton, Senator Foriest, Senator Garrou, Senator Kinnaird, Senator Soles, and Senator Stevens are appointed to escort Dr. Smithies, Dr. Roper, and Chancellor Moeser to the Well of the Senate.

**S.R. 2167,** A SENATE RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF DR. OLIVER SMITHIES, 2007 NOBEL PRIZE WINNER.

June 25, 2008

Upon motion of Senator Rand, the Senate resolution is taken up out of its regular order of business.

Upon motion of Senator Rand, the resolution is read in its entirety.

The Senate Resolution is adopted (48-0).

The President recognizes the Committee to escort the guests from the Chamber.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2084**, A BILL TO BE ENTITLED AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2091**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2449**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION

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AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2585** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, June 26, upon third reading.

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**H.B. 2769**, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2455** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 39, noes 9, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---39.

Voting in the negative: Senators Allran, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Jacumin and Rucho---9.

The Committee Substitute bill remains on the Calendar for Thursday, June 26, upon third reading.

**H.B. 2689**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 36, noes 12, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---36.

Voting in the negative: Senators Allran, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Goodall, Hunt, Jacumin, Preston and Rucho---12.

The bill remains on the Calendar for Thursday, June 26, upon third reading.

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**H.B. 2783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 43, noes 5, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, Foriest, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: Senators Blake, East, Forrester, Garrou and Rucho---5.

The Committee Substitute bill remains on the Calendar for Thursday, June 26, upon third reading.

**S.B. 1706**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2130**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2157**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY.

The bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**H.B. 2121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM, ON, OR

ACROSS THE RIGHT-OF-WAY OF AN IMPROVED STATE-MAINTAINED ROAD OR HIGHWAY IN JACKSON COUNTY, WITH ONE EXCEPTION.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled.

**H.B. 2122** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN JACKSON COUNTY.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled.

**H.B. 2762**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT FOR RANDOLPH COUNTY TO ACCEPT PAYMENT OF THE FEE CHARGED BY THE COUNTY SHERIFF FOR OFFENDERS ORDERED TO PARTICIPATE IN PRETRIAL ELECTRONIC MONITORING.

The bill passes its second (48-0) and third readings and is ordered enrolled.

**H.B. 2785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY.

Upon motion of Senator Rand, the bill is withdrawn from today's Calendar and is re-referred to the **Rules and Operations of the Senate Committee**.

**S.B. 1968** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 32, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Clodfelter, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Snow, Soles, Swindell and Weinstein---32.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Goodall, Hunt, Jacumin, Rucho, Smith, Stevens and Tillman---16.

The Committee Substitute bill remains on the Calendar for Thursday, June 26, upon third reading.

**S.B. 1627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.

The Committee Substitute bill passes its second (47-1) and third readings and is ordered sent to the House of Representatives.

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**S.B. 1716** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING AND TO CLARIFY THAT THE SERVICE AREA OF A CITY INCLUDES ANY AREA SUBSEQUENTLY ANNEXED BY THAT CITY.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1746** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE FOURTEEN NEW SPECIAL REGISTRATION PLATES.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Upon motion of Senator Clodfelter, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 26.

*The President, relinquishes the gavel to Senator Basnight, President Pro Tempore who presides in the absence of the Lieutenant Governor.*

**S.B. 1924** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

Senator Purcell offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading (47-1).

Senator Smith objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, June 26, upon third reading.

**S.B. 1946** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY

THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE.

Upon motion of Senator Rand, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

**S.B. 1957** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 1977**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF LELAND TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION.

The bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2056** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

**S.B. 2117** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS.

The Committee Substitute bill No. 2 passes its second (47-0) and third readings and is ordered sent to the House of Representatives.

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**H.B. 1679**, A BILL TO BE ENTITLED AN ACT ALLOWING JOINT MUNICIPAL ASSISTANCE AGENCIES TO MAKE AND EXECUTE CONTRACTS FOR PERIODS GREATER THAN THREE YEARS TO ACHIEVE ECONOMY, ADEQUACY, AND RELIABILITY.

The bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 2178**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its second (47-0) and third readings and is ordered enrolled and sent to the Governor.

**H.B. 2287** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor.

*Upon the appearance of Senator Cowell in the Chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.*

**H.B. 2529** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Senate Committee Substitute bill passes its second reading (33-16).

Senator Brock objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, June 26, upon third reading.

**S.B. 212** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, for concurrence.

Upon motion of Senator Foriest, the House Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 26.

**S.B. 1946** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND

WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE, temporarily displaced earlier today.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Malone for the **Education/Public Instruction Committee**:

**S.B. 285**, A BILL TO BE ENTITLED AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN SCHOOL-SPONSORED EVENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15306, which changes the title to read **S.B. 285** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE DIVISION OF MOTOR VEHICLES TO DEVELOP A PLAN FOR A STATEWIDE PERMIT FOR MOTOR COACH COMPANIES SEEKING TO TRANSPORT STUDENTS, SCHOOL PERSONNEL, AND OTHER AUTHORIZED PERSONS ON SCHOOL-SPONSORED TRIPS, is adopted and engrossed.

Upon motion of Senator Malone, the Committee Substitute bill is re-referred to the **Rules and Operations of the Senate Committee**.

**S.B. 893**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALARY SCHEDULE RATE INCREASE FOR CERTIFIED PERSONNEL OF THE PUBLIC SCHOOLS WHO ARE CLASSIFIED AS "M" TEACHERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55757, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 15**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE HOUSE SELECT COMMITTEE ON THE EDUCATION OF STUDENTS WITH DISABILITIES TO ALLOW

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STUDENTS PLACED ON SHORT-TERM SUSPENSIONS TO TAKE THEIR TEXTBOOKS HOME FOR THE DURATION OF THE SHORT-TERM SUSPENSION AND TO HAVE ACCESS TO HOMEWORK ASSIGNMENTS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51025, which changes the title upon concurrence to read **H.B. 15** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES, is adopted and engrossed.

**H.B. 12** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 30729, which changes the title upon concurrence to read **H.B. 12** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION, is adopted and engrossed.

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**H.B. 738**, A BILL TO BE ENTITLED AN ACT TO ADOPT THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS' MODEL ACT ON CUSTODIAL AGREEMENTS AND CLEARING CORPORATIONS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80625, which changes the title upon concurrence to read **H.B. 738** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE UNINSURED

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AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES, is adopted and engrossed.

### CONFERENCE REPORT

Senator Snow, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1304** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR DEPLOYED MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1304, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR DEPLOYED MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD, Senate Appropriations/Base Budget Committee Substitute Adopted 8/1/07, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations/Base Budget Committee Substitute adopted 8/1/07, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute as amended:

on page 1, line 4, by deleting the word "DEPLOYED"; and

on page 2, lines 21 through 23, by rewriting those lines to read:

"used to help members of the North Carolina National Guard repay outstanding student loans "; and

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on page 2, line 24, by inserting after the period the following sentence:

"These rules shall provide that the length of a member's deployment may be considered in determining whether or not, and in what amount, a member receives assistance pursuant to this subsection."; and

on page 3, lines 41 through 43, by deleting the following language: "G.S. 127A-195(g) provided the person was deployed while enrolled in a business or trade school, private education institution, or State educational institution:" and substituting the following: "G.S. 127A-195(g):"; and

on page 4, line 10, by deleting "July 1, 2007." and substituting "July 1, 2008."

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

Date Conferees approved report: June 24, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/John Snow, Chair  
S/A. B. Swindell  
S/Vernon Malone

S/Marvin W. Lucas, Chair  
S/Grier Martin  
S/Thom Tillis  
S/Louis M. Pate, Jr.  
S/Ric Killian  
S/Angela R. Bryant

The Conference Report, which changes the title, is placed on the Calendar for Thursday, June 26, for adoption.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2794**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

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

Upon motion of Senator Shaw, the remarks of the members are spread upon the Journal, as follows:

**Senator Dorsett:**

"I first of all want to thank my colleague, Senator Malcolm Graham, for sponsoring the companion bill on the Senate side. This bill that we are

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considering today is from the House, but we have that same bill in the Senate. Today, we pause to honor a milestone in North Carolina history. It was a light at the end of the tunnel after a long chapter in our State. Separate, but equal, was the law of the land from 1898 to 1954. The Supreme Court in its landmark case *Brown v. Board of Education* declared that the schools would be de-segregated with all deliberate speed. Now we remember that term and we know that integration was neither deliberate nor speedy. As the resolution states, there were efforts in North Carolina to delay integration, but history was not on their side. We all remember the National Guard being called to Central High School in Little Rock, Arkansas. I think we can all picture Governor George Wallace standing at the school house door in Alabama to block integration. But things were different in North Carolina. It was in September 1957, weeks before Little Rock and six years before Alabama, that North Carolina quietly integrated its schools. An Associated Press headline read, 'All is Quiet in North Carolina on Eve of School Integration.' The story went on to say that 'Greensboro, N. C. scheduled to open its city schools today on an integrated basis, gave no indication last night of any potential difficulty.' It was on September 4, 1957, that eleven black students integrated previously white public schools in Greensboro, Charlotte, and Winston-Salem. Now these brave men and women are now a part of the fabric of our State's history. In Greensboro it was Josephine Boyd Bradley going to Greensboro Senior High, Brenda Florence, Jimmy Florence, Russell Herring, Elijah Herring, and Harold Davis at Gillespie Park Elementary School in Greensboro. Then in Charlotte there was Dorothy Counts Scoggins at Harding Senior High School, Gustevas Roberts at Central Senior High School, and Girvaud Roberts Justice at Piedmont Junior High School and then, of course, there was Delois Huntley at Alexander Graham Junior High School. Then in Winston-Salem there was Gwendolyn Bailey Coleman at Reynolds High School. It certainly was not easy and the struggle for civil rights was far from over. But we can be very proud of those who stood up for justice and equality. We can be proud that these trail blazers helped pave the way for generations to come and for a brighter future for all of us in North Carolina. Just a few months later, Dr. Martin Luther King came to Greensboro and he spoke to 2,500 people at the Bennett College Chapel. Let me share just a few of his words which echoed throughout our State and our Nation in the midst of that change. He said, 'As I look out and I look over our Nation, God has given many of you talents and God has given many of you economic resources. He has given educational resources. This is a challenging opportunity of ours to use these things to furnish leadership to our Nation in his honor. We will never get to the promised land until we all get there together.' And those brave boys and girls on that day in 1957 were part of an important part of history for the State of North Carolina. Today, we have many of those brave young men and women with us in the gallery. As I call their names, I want to ask them to stand: Josephine Boyd Bradley, Brenda Florence, Jimmy Florence and these were from Greensboro but they are living other places now. Dorothy Counts Scoggins, Girvaud Roberts Justice, Dolois Huntley from Charlotte, Gwendolyn Bailey Coleman from Winston-Salem and we also have with us one of our courageous

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superintendents, Dr. Craig Phillips. Thank you very much. I want to also acknowledge that there were many other civil rights organizations which helped us in this struggle and I know that I saw Reverend William Barber. He is here today, but there were many other organizations giving encouragement and support during this time. It is as much a part of the struggle, which is not over yet. That organization gave a lot of help and inspiration. Now we all know we have come a long way over the past fifty years and there is a lot more work to be done. But this resolution, I believe, is proof of how far we have come, but it also suggests to us how far we have got to go. I would encourage you to support the resolution.”

**Senator Malone:**

“Ladies and Gentlemen of the Senate, this is an historic day of remembrance for many of us. It is an occasion that totally changed the course of public education in the State of North Carolina. It is an occasion that allowed Susan and me to rear three young children and have them select their career paths and to also make the decision where they wanted to pursue their education without fear of lawsuit or rejection. There is a bit of irony in this day and this occasion when questioning one’s patriotism seems to be in vogue. I suggest to you that fifty years ago we did this in North Carolina without a lot of violence but with resistance and many people had to be dragged kicking and screaming to accept this as a way of life and to understand that when we say all men and women are created equal, it has significant meaning to it. It means everybody. I generally don’t like to say things that I can’t back up, but I’m pretty much convinced that had these events across the country not taken place, there is a very real possibility, using the language of the Supreme Court when it wrote the Brown v. Board of Education decision, there is a very strong possibility that a Negro would not be in a position today to become President of the United States. Had this not happened, I doubt very seriously we would be on the ... today of possibly having a black person to be elected to the President of the United States. It’s quite possible without this. These young men and women who serve as pages in this Chamber would not be here today because fifty years ago they certainly weren’t here and that does indeed speak for where we are. Senator Dorsett is right. We have come a long way baby, but we still have some distance to go. I hope you will vote for this resolution.”

**Senator McKissick:**

“Mr. President and my colleagues here in the Senate, I would like to also speak in support of this resolution. We certainly want to give honor for the contributions that these distinguished individuals made to change in North Carolina. It was significant; it was profound. It took us on a course that we have traveled along which has made great changes in this society. I personally saw a great deal of what segregation was about as a child. In Durham County, my mother was involved in a lawsuit that resulted in the integration of the public school system there. At about the same time that these persons were integrating the schools in Greensboro and in Charlotte, my oldest sister, Joyclyn and my

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next oldest sister, Andrea, were entering the public schools in 1959 in Durham, North Carolina. The challenges that were brought then were substantial and profound and I might say Henry Vickers, another person who joined us, and Maxine Bledsoe, who is no longer with us, were a part of that group. But there was great resistance. It wasn't as easy as one might imagine. Each morning as my mother drove to the school to drop off my sisters and others who were with us, the doors of the school would be barricaded by students standing there with jeers, standing there pronouncing racial profanities and it was necessary to go each day up to those school house doors and open them so those students could enter. While we might not have been confronted with the resistance that was seen in portions of this Country in the very, very deep south, but it is hard to say that if you happened to be my sister, Joyclyn, and you happened to go into that ladies room at that school and the students there tried to stick your head into a commode. You had to fight it. It is hard to say that if you were my sister, Andrea, and you were part of that marching band and they decided that marching band would no longer march if African Americans had to be a part of that group. We have seen profound and substantial change. I integrated the elementary schools and as a student there, things were different. You weren't confronted as much with the profanities. You weren't confronted as much with the ostensible vestiges of racism and hatred. You might have gotten spit balls and you might have gotten aluminum foil balls. The most profound thing was the fact that when you stood in a classroom, your teachers never had the experience of dealing with African American students. Those teachers thought that we were all second-class citizens, that none were capable of making more than a C grade, that the intellectual capacity of African Americans was inferior to those of whites. When you stood there in those classrooms as these persons have that join us today, you represented your race as a pioneer to challenge the stereotypical images that were so profound and a dominate part of our culture. And yes indeed, it took great courage and it took great conviction to stand there and to meet those challenges. As catalysts for change, you changed not only the colleagues that you sat with each day and their perceptions of what African Americans could accomplish, but you challenged the status quo in the thinking of the teachers that were there with you to understand that African Americans, too, could get an A, could get a B, or were capable of more than a C and that they were better and capable in the classroom just as they were on the basketball fields and on the baseball fields where they thought it was the only place that one could prevail and succeed. For those that were pioneers in this era, we commend them for their contributions. For those that fought the stereotypical images, we thank them for their efforts. For those that were trailblazers that allowed people like me to stand on the floor of this Senate today, to attend schools like Harvard, Duke, and Carolina, we thank you for your contributions. We thank you for your energies. We thank you for sacrificing your lives because it wasn't so easy then because in those days, each night when I came home at dark, people sat on their front porch with shotguns and rifles to protect you.

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When the mail came each day, you opened it with plastic latex gloves because of the threatening letters that would inevitably come so that the envelopes could be fingerprinted. For those days are no longer with us. Change has occurred, profound, meaningful significant change, change we can all be proud of as a society. Change that has come to this Country will allow someone like Barack Obama or Hillary Clinton or a host of others to know that there is opportunity within our midst. That change has been profound and on this commemoration of this fiftieth anniversary, we can all take pride, we can all take dignity and respect the culture and tradition which America represents as a land of opportunity. Thank you.”

**Senator Foriest:**

“Mr. President and members of the Senate, I do feel compelled just to say a few words. I, too, would like to thank those who have come before me and who have had shoulders broad enough to support many of us who didn’t do all that we perhaps should have done many years ago. To those who were soldiers in the field, I want to say thank you. I want to thank you for what you have done for me. Thank you for what you have done for my family. Thank you for what you have done for this community and certainly thank you very much for what you have done for the State of North Carolina. The thing that I want to stress is the fact that we have come a long way. We are not where we need to be, but we have come a long way. We are not perfect but the important thing, I think, is we are better today than we were yesterday and I certainly recommend this resolution. Thank you.”

**Senator Berger of Franklin:**

“An earlier speaker mentioned that integration began during the period in the 1950s. Well, I grew up in Johnston County and specifically Smithfield and when you say with all deliberate speed, it was a very slow process. Our school system was not integrated until I was in the fourth grade and actually the first time I was in a classroom with an African American classmate was in 1970 in the fifth grade. I just want to thank the folks that paved the way for integration in the public school system because it had a very personal and deep impact on my life and I’m sure if many of you think about growing up in the school system during that time, your lives were impacted, as well. I am standing here today because I had teachers like Ms. Sanders in the seventh grade who told me that if I didn’t do my best I would get my hands fried. I had teachers like Ms. Dublin who got me through Algebra II and made it possible for me to go to Chapel Hill. I had teachers like Ms. Wilson who was our Science Club sponsor in the eighth grade and inspired me to be here. And then there was Ms. Lethridge. When I got through her class, I intended to be a doctor. These were all African American teachers that I had who inspired me and treated me as they would any child, wanting them to do their best and I just want to thank you folks for giving me that opportunity because they inspired me to reach for the stars as well. Thank you.”

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**Senator Dannelly:**

“Ladies and Gentlemen of this August Body, I urge you to support this resolution. Let me thank those brave young people and adults who saw the light and decided to pursue the right. Let me say ditto to everyone that has spoken before me. Fifty years to the day that Dorothy Count Scoggins integrated Harding High School in Charlotte, the Charlotte-Mecklenburg community had her return to Harding. It was a very wonderful but emotional evening. I had the pleasure to read a resolution from the Governor’s Office to that event. The one thing that really touched me on that day was when Dorothy spoke. She introduced a person as one of her best friends. It was a young man who was seen in a picture heckling her, like who would have thought it, on that day. When he became an adult and saw that picture, they connected. He contacted her because he felt so bad about what had happened that day, his role and the role of others, and from that contact they became best friends. I’m sure that has been replicated in other places. But those are the kinds of things that came about as a result of that. There is a lot that I could say about those days myself. The one thing that I will say is that I want to thank Dr. Phillips for taking the stand he did, also. During the course of those tumultuous early years, I recall one incident when Dr. Phillips was at Randolph Junior High and a parent, not liking the situation, sort of collared him. Dr. Phillips was younger then and, of course, nothing happened but that indicated how people on both sides of the issue felt. We have come a long way, but we still have a long way to go. I urge you to support this resolution.”

**Senator Basnight:**

“I remember at Manteo High the first day that an African American came to school. I believe I was a junior and I remember a little bit of a scuffle and I remember one particular person who was white defending the young black boy. I was so proud to know both of them and I realized it and knew all through my life, as I did then, that there had been wrongs and it was wrong that we shared in different classrooms and different facilities and that the books that were given to Manteo High had full pages and the books that were given to the colored school at Manteo, the Roanoke School, purposely had pages torn out, as I was told, so that the incomplete story of whatever was being taught or learned at the time was made more difficult. I realized, as we all know today, that it was so wrong that we had divided a people because of color. But I can share with you today the proudness that I have and I know the young men very well, both of them. The young black boy is not with us any longer, his name was Bouser. The young white boy is still with us, defending him and his right at Manteo High. That was the only conflict I ever saw, but I know they were there. I know inside people felt differently because of a person of color. I would hope and pray today that it would be disallowed among the communication of people among us. It is God’s given that we not look at people because of their color or their station in life or where they may come from. So fifty years have passed and now opportunities of fifty more are in front of us and we will do the work as we should and respect all people.

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The joint resolution passes its second reading (47-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Dorsett, the President extends the courtesies of the gallery to Dr. Craig Phillips, School Superintendent in 1957; Josephine Boyd, Greensboro; Brenda and Jimmy Florence, Greensboro; Dorothy Counts Scoggins, Girvard Roberts Justice, and Delios Huntley, Charlotte; and Gwendolyn Bailey Coleman.

Upon motion of Senator Dannelly, seconded by Senator Malone, the Senate adjourns subject to reading of messages from the House of Representatives, to meet Thursday, June 26, at 11:00 A.M.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
June 25, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 1304** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**S.B. 1597** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY; THE CITIES OF CONCORD,

June 25, 2008

DURHAM, KANNAPOLIS, AND LOCUST; AND THE TOWNS OF CARY, HARRISBURG, MIDLAND, MOUNT PLEASANT, AND STANFIELD TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, June 26, for concurrence.

**S.B. 1654** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY AND THE TOWN OF CAMERON, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, June 26, for concurrence.

**H.B. 2188** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT.

Referred to the **Judiciary I Committee**.

**H.B. 2353** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS.

Referred to the **Finance Committee**.

**H.B. 2360** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Referred to the **Education/Higher Education Committee**.

**H.B. 2468** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT IREDELL COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

Referred to the **State & Local Government Committee**.

**H.B. 2509** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A

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NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to the **Finance Committee**.

**H.B. 2752** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY.

Referred to the **Finance Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 4:49 P.M.

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### ONE HUNDRED FORTIETH DAY

Senate Chamber  
Thursday, June 26, 2008

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

Prayer is offered by The Reverend Lin Carter, Associate Minister of First Baptist Church, Raleigh, North Carolina as follows:

"Ineffable God, we come to you today humbly, acknowledging your greatness. With power and mercy you move and work in our lives. We know that you created all that is and that you continue to act in the world, in our State and even in this Chamber. Remind us of the times you have caused good in each of our lives. Then help us to live as your agents, serving as conduits of your presence and your grace in all that we do. Amen."

The Chair grants a leave of absence for today to Senator Graham.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, June 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Douglas Sheets from Rutherfordton, North Carolina, who is serving the Senate as Doctor of the Day.*

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**ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 1679**, AN ACT ALLOWING JOINT MUNICIPAL ASSISTANCE AGENCIES TO MAKE AND EXECUTE CONTRACTS FOR PERIODS GREATER THAN THREE YEARS TO ACHIEVE ECONOMY, ADEQUACY, AND RELIABILITY.

**H.B. 2178**, AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 2287**, AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

**H.B. 2121**, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM, ON, OR ACROSS THE RIGHT-OF-WAY OF AN IMPROVED STATE-MAINTAINED ROAD OR HIGHWAY IN JACKSON COUNTY, WITH ONE EXCEPTION.

**H.B. 2122**, AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN JACKSON COUNTY.

**H.B. 2762**, AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT FOR RANDOLPH COUNTY TO ACCEPT PAYMENT OF THE FEE CHARGED BY THE COUNTY SHERIFF FOR OFFENDERS ORDERED TO PARTICIPATE IN PRETRIAL ELECTRONIC MONITORING.

**H.J.R. 2794**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA. (Res. 16)

**CHAPTERED BILLS**

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

June 26, 2008

**S.B. 1872**, AN ACT TO EXTEND THE STUDY OF THE ALLOCATION OF WATER RESOURCES AND THEIR AVAILABILITY AND MAINTENANCE IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-10.)

**S.B. 1862**, AN ACT TO REMOVE A PORTION OF LAKE WACCAMAW STATE PARK FROM THE STATE NATURE AND HISTORIC PRESERVE AND THE STATE PARKS SYSTEM TO ALLOW FOR BRIDGE REALIGNMENT ON BELLA COOLA ROAD, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-11.)

**H.B. 724**, AN ACT TO NO LONGER REQUIRE THE USE OF SOCIAL SECURITY NUMBERS ON NORTH CAROLINA CHILD SUPPORT COURT ORDERS. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-12.)

**S.B. 1646**, AN ACT TO PROVIDE FOR THE ORDERLY FISCAL MANAGEMENT OF ANY MONETARY SETTLEMENT OF THE 1943 AGREEMENT BETWEEN SWAIN COUNTY AND THE UNITED STATES DEPARTMENT OF INTERIOR. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-13.)

**S.B. 1662**, AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF NURSING AND APPROVED BY THE RULES REVIEW COMMISSION. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-14.)

**H.B. 946**, AN ACT TO MAKE AN OFFENSE OF VANDALISM THAT RESULTS IN MORE THAN FIVE THOUSAND DOLLARS IN DAMAGES A CLASS I FELONY. (Became law upon approval of the Governor, June 25, 2008 - S.L. 2008-15.)

**S.B. 1748**, AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO LEVY AN ADDITIONAL MOTOR VEHICLE REGISTRATION TAX FOR PUBLIC TRANSPORTATION PURPOSES. (Became law upon ratification, June 25, 2008 - S.L. 2008-16.)

**S.B. 1843**, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF HILLSBOROUGH. (Became law upon ratification, June 25, 2008 - S.L. 2008-17.)

**BILLS ORDERED SENT TO THE HOUSE OF REPRESENTATIVES  
AND THE GOVERNOR**

June 26, 2008

With unanimous consent, upon motion of Senator Rand, all bills ordered sent to the House of Representatives and the Governor, Thursday, June 26, through the end of the 2008 Session, will be sent by special message.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2084**, A BILL TO BE ENTITLED AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2091**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2449**, A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly,

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Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2585** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 2765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 2769**, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly,

Dorsett, East, Foriest, Forrester, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2455** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 36, noes 10, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Goss, Hagan, Hoyle, Hunt, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---36.

Voting in the negative: Senators Allran, Berger of Rockingham, Brock, Brown, East, Forrester, Goodall, Jacumin, Preston and Rucho---10.

The Committee Substitute bill is ordered enrolled.

**H.B. 2689**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 35, noes 13, as follows:

Voting in the affirmative: Senators Albertson, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Shaw, Smith, Snow, Soles, Stevens, Swindell and Weinstein---35.

Voting in the negative: Senators Allran, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rucho and Tillman---13.

The bill is ordered enrolled.

**H.B. 2783** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 4, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater,



Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell and Weinstein---45.

Voting in the negative: Senators East, Forrester, Rucho and Tillman---4.

The Committee Substitute bill is ordered enrolled.

**S.B. 1845** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message.

**S.B. 2122** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CAMPUS POLICE FOR A PRIVATE ELEMENTARY, MIDDLE, OR HIGH SCHOOL IN DURHAM COUNTY.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message.

**S.B. 1654** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY AND THE TOWN OF CAMERON, for concurrence in the House Committee Substitute bill, upon second reading.

Upon motion of Senator East, the Senate concurs in the House Committee Substitute bill on its second reading by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for concurrence upon third reading.

**S.B. 1597** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CABARRUS COUNTY; THE CITIES OF CONCORD, DURHAM, KANNAPOLIS, AND LOCUST; AND THE TOWNS OF CARY, HARRISBURG, MIDLAND, MOUNT PLEASANT, AND STANFIELD TO

PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Cowell, the Senate concurs in the House Committee Substitute bill (47-1) and the bill is ordered enrolled.

**S.B. 1828** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE, WADESBORO, AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Goodall, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled.

**S.B. 1968** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 33, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Snow, Soles, Swindell and Weinstein---33.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Goodall, Hunt, Jacumin, Rucho, Smith, Stevens and Tillman---16.

The Committee Substitute bill is ordered sent to the House of Representatives by special message.

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Clodfelter offers Amendment No. 1 which is adopted (49-0).

Senator Smith offers Amendment No. 2 which fails of adoption (15-34).

The bill, as amended, passes its second (45-4) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**S.B. 1892** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives by special message.

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**ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 2769**, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**S.B. 2075**, A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35601, is adopted and engrossed.

**S.B. 2063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO MAKE IT UNLAWFUL TO TAMPER WITH A DEVICE, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE CHARGED FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT, with a favorable report.

**H.B. 2156** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70792, which changes the title upon concurrence to read **H.B. 2156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND AND THE CITY OF MOUNT HOLLY TO LEVY A ROOM OCCUPANCY TAX, is adopted and engrossed.

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By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2390**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING, with a favorable report.

**CALENDAR** (*continued*)

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Upon motion of Senator Rand, the President orders, without objection, the joint resolution temporarily displaced.

**H.B. 12** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 15** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

The Senate Committee Substitute bill passes its second (49-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

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**H.B. 545** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

Upon motion of Senator Hartsell, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, June 30.

**H.B. 738** (Senate Committee Substitute ), A BILL TO BE ENTITLED AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES.

Senator Rand offers Amendment No. 1 which is adopted (48-1).

The Senate Committee Substitute bill, as amended, passes its second reading (48-1).

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Senator Rand objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, June 30, upon third reading.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2727, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.**

Upon motion of Senator Rand, the joint resolution is placed on the Calendar for immediate consideration.

Upon motion of Senator Weinstein, the joint resolution is read in its entirety and, upon motion of Senator Shaw, the remarks of the members, are spread upon the Journal, as follows:

#### **Senator Weinstein:**

“Ladies and Gentlemen of the Senate, after World War II over a hundred nations emerged, but none has commanded as much attention as the Democratic State of Israel. Israel has redeemed the Jewish people by taking in millions of immigrants and triumphed against overwhelming odds. For you who have visited Israel, and there are many in this room that have, you will see gleaming cities and the desert blooming with agriculture. Israel has been a leader in the world in agriculture, medicine, and technology. If nations were sized according to the news that they generate, Israel would be a superpower. However, it still remains that Israel’s biggest challenge today is to achieve peace in the Middle East region. After the Holocaust of World War II, the Jewish people had little hope. America’s Jewish population was weak. Europe’s Jewish population was virtually exterminated. The Nation of Israel restored hope. Exiles gathered. The Hebrew language was reborn. Refugees became soldiers. The desert bloomed and a future for the Jewish people was now possible. America’s friendship with Israel has and will provide comfort and prosperity to both Nations. For you Biblical scholars, and I know there are many in here who are, remember this verse in the Bible and this is why I predict prosperity for our Country and America and it is clearly stated: ‘I will bless them that bless thee, and I will curse them that curse thee.’ I want to wish a happy sixtieth anniversary birthday to the Nation of Israel and hope that it will continue to be a light among the Nations. I urge adoption of the resolution.”

#### **Senator Allran:**

“I had the pleasure yesterday evening of going to see the Dead Sea Scrolls exhibit and it was bad timing because we had five things last night, which made it very difficult. I would urge everyone in here, sometime when you get a

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chance, to be sure to go see that exhibit. It is interesting the way this is coming up today in good timing with that. That exhibit concentrates a lot on the founding of Israel and also the ancient history of Israel and if you go see that exhibit, you'll see where the Bible came from, the history of Judaism, the history of Christianity, the history of ancient Israel and where we are today. I guess what I walked away with, perhaps is the most interesting thing of it, is that there are hundreds of thousands of fragments. They are all religious text. There are nine hundred documents that they got out of the hundreds of thousands and out of those nine hundred documents, two hundred of them are Biblical. Of those two hundred that are Biblical, they relate back to every book in the Old Testament except Esther. They were copies of the original text that the original Hebrew writers did of the Word of God. What is so amazing about it is that, although they are a thousand years earlier than what we had prior to their discovery in 1947, they are a thousand years earlier than anything we had in existence prior to 1947, there is no substantive deviation between them and the text that we had a thousand years later. The main thing that shows is that these people who copied these texts, copied these texts over and over again, were so incredibly meticulous and careful and perfect in their copying of these texts that they virtually did not make mistakes. Another thing that I thought was amazing is that there was a special type of print used on the ones that were the most important and they were the ones that they thought were God talking directly to the authors and it was called Paleo-Hebrew and that is what Deuteronomy was written in and that is because they believed that it was God talking directly to Moses. It is just fascinating so I would urge that, in addition to supporting this resolution, you do go to see that exhibit. Thank you."

**Senator Hagan:**

"Thank you, Senator Weinstein, for bringing forth this resolution. I think it is interesting to note that on May 14 when Israel was declared a Country, President Truman immediately sent forth a proclamation that the United States would recognize Israel and I think we also know that Israel is one of our key allies in the world and the only true democracy in the Middle East. Fourteen years ago, I had the pleasure of visiting Israel with the NCCJ, the National Conference for Community and Justice in Greensboro along with the Jewish Federation and it was an Interfaith mission. We ended up going to the Kenesit, we met with many government leaders, we floated in the Dead Sea, and we climbed Masata. We really got to have an incredible feel for the wonderful Country of Israel and its people. Listening to what Senator Weinstein also said and how they cherish their democracy and peace, you see it first-hand on a day-to-day basis. I thank you for this resolution and ask for your support."

**Senator Rand:**

"Ladies and Gentlemen of the Senate, about ten years ago I was able to go to Israel with a group and Senator Weinstein was along and it was one of the most interesting things I ever did. I had no idea it would have the impact on me that it did. As Senator Hagan said, we also went and floated in the Dead Sea and

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climbed Masata and went to the Kenesit and the Sea of Galilee. It was hugely moving and really interesting and it showed what a real beacon to the world Israel is and what great friends of America they are and it is painful to see the consternation in that part of the world now. We all hope and pray that it will be resolved and the Nation of Israel will continue to be the beacon for justice and liberty and human rights that it is. Thank you.”

The joint resolution passes its second reading (49-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Weinstein the President extends the courtesies of the gallery to Ambassador Reda Mansour, Consul-General for the State of Israel to the Southeast; The Honorable Stanley Fox, Chair, NC Jewish Government affairs Committee; Phil Zaleon, Past-President, Durham-Chapel Hill Jewish Federation; Mel Bernay, Director, Jewish Community Relations Council of the Raleigh-Cary Jewish Federation; Susan Behrend, Member of the Jewish Community Relations Council; Mike Schaul, Member of the Jewish Community Relations Council; and Mort Lurie, Member of the Jewish Community Relations Council.

#### **CALENDAR** *(continued)*

**H.B. 1003** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR AND TO PROVIDE THAT A COURT MAY EXTEND OR MODIFY.

The Senate Committee Substitute bill No. 2 passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2127**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, SO AS TO SAVE FUNDS AND AVOID DUPLICATION.

The bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**S.B. 1924** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE

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DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, as amended on second reading.

The Committee Substitute bill, as amended, passes its third reading (49-0) and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 2529** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Senate Committee Substitute bill passes its third reading (34-15) and is ordered sent to the House of Representatives by special message for concurrence.

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL, temporarily displaced earlier today.

Upon motion of Senator Rand, the joint resolution is withdrawn from today's Calendar and is re-referred to the **Rules and Operations of the Senate Committee**.

**S.B. 212** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, for concurrence in the House Committee Substitute bill.

The Senate fails to concur in the House Committee Substitute bill (0-49).

Senator Foriest offers a motion that the Senate appoint conferees, which motion prevails.

**H.B. 1304** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD, for adoption.

Upon motion of Senator Snow, the Senate adopts the Conference Report (49-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

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### APPOINTMENT OF CONFERENCE COMMITTEE

**S.B. 212** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 212 earlier today and the motion to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Foriest, Chair; Senator Berger of Franklin; Senator Hartsell; and Senator Kinnaird as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

### WITHDRAWAL FROM COMMITTEE

**S.B. 1926**, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR COMPUTER EQUIPMENT MANAGEMENT ENACTED BY S.L. 2007-550 TO (1) CLARIFY THAT THE PROGRAM APPLIES ONLY TO COMPUTER EQUIPMENT DISCARDED BY CONSUMERS IN THE STATE AND (2) ADD TELEVISIONS DISCARDED BY CONSUMERS IN THE STATE TO THE EQUIPMENT THAT MUST BE RECOVERED FOR REUSE OR RECYCLING, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, referred to the **Finance Committee** on Thursday, May 22.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Finance Committee** and re-referred to the **Agriculture/Environment/Natural Resources Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Finance Committee** and re-refers the measure to the **Agriculture/Environment/Natural Resources Committee**.

### ADDITIONAL SPONSORS

Senator Allran requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Basnight requests to be added as a sponsor of previously introduced legislation:

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**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Berger of Franklin requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Dannelly requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Dorsett requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Foriest requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Kerr requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Malone requests to be added as a sponsor of previously introduced legislation:

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**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator McKissick requests to be added as a sponsor of previously introduced legislation:

**S.B. 1885**, A BILL TO BE ENTITLED AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1924**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY AND TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Nesbitt requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Preston requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Smith requests to be added as a sponsor of previously introduced legislation:

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**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Snow requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Upon motion of Senator Basnight, seconded by Senator Jones, the Senate adjourns subject to receipt of committee reports and reading of messages from the House of Representatives, to meet Monday, June 30, at 7:00 P.M.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.B. 2218** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF AHOSKIE AND TO AMEND THE MEMBERSHIP OF THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY.

Referred to the **Finance Committee**.

**H.B. 2600** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWNS OF MAYODAN AND MOUNT OLIVE TO REGULATE GOLF CARTS ON PUBLIC STREETS OR HIGHWAYS WITHIN THE TOWN OR ON PROPERTY OWNED OR LEASED BY THE TOWN.

Referred to the **State & Local Government Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1715**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR TAXPAYERS TO JOIN A CLASS ACTION SEEKING A REFUND OF TAX PAID DUE TO AN UNCONSTITUTIONAL STATUTE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill 55766, which changes the title to read **S.B. 1715** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CLASS ACTIONS SEEKING THE REFUND OF STATE TAX PAID DUE TO AN ALLEGED UNCONSTITUTIONAL STATUTE, is adopted and engrossed.

**H.B. 887** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70786, is adopted and engrossed.

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 1971** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF ROCKY MOUNT AND WILSON TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS, for concurrence in the House Committee Substitute bill.

Referred to the **State & Local Government Committee**.

**S.B. 2131** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY, for concurrence in the House Committee Substitute bill.

Referred to the **State & Local Government Committee**.

**H.B. 44** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary I Committee**.

**H.B. 1230** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS.

Referred to the **Finance Committee**.

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**H.B. 2167** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS.

Referred to the **Commerce, Small Business and Entrepreneurship Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 2278**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER.

Referred to the **Finance Committee**.

**H.B. 2313**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

**H.B. 2338**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Referred to the **Judiciary II Committee**.

**H.B. 2376** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO REPURCHASE A PERFORMING ARTS FACILITY PREVIOUSLY OWNED BY THAT CITY.

Referred to the **State & Local Government Committee**.

**H.B. 2463** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT.

Referred to the **Commerce, Small Business and Entrepreneurship Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 2523** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

Referred to the **Health Care Committee**.

**H.B. 2524** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM THE PROVISIONS OF THE COMMERCIAL FEED ACT.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:44 P.M.

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### ONE HUNDRED FORTY-FIRST DAY

Senate Chamber  
Monday, June 30, 2008

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

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

"Eternal God, on this thirtieth day of June, we begin tonight's session very aware of what the Greeks called Chronos, time that we must put up with, pass, and endure the ticking of a clock. The budget conferees have been dealing with that kind of time for the last few days and must be weary. But to the Greeks' credit, they also had another word for time. They called it Kairos, time that is revelatory, it is full, it is insightful. It is God-inspired time. Would you please remind us that you are with us tonight, though the clock is ticking, to offer your inspired insightful presence in time to build bridges of reconciliation, to establish a compromise of compassion, and to build a community of acceptance. May we all be encouraged by such a promise. Amen."

The Chair grants leaves of absence for tonight to Senator Dalton, Senator Malone, Senator Nesbitt, Senator Shaw and Senator Soles.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Thursday, June 26, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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*The Chair extends privileges of the floor to Dr. Liana Puscas from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Margo Packheiser from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.*

### CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

**H.B. 2156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND AND THE CITY OF MOUNT HOLLY TO LEVY A ROOM OCCUPANCY TAX, upon second reading.

Senator Hoyle offers Amendment No. 1 which is adopted (43-0), and changes the title upon concurrence to read **H.B. 2156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX.

The Senate Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 43, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dannelly, Dorsett, East, Foriest, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, McKissick, Preston, Purcell, Queen, Rand, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: Senators Forrester and Rucho---2.

The Senate Committee Substitute bill, as amended, remains on the Calendar for Tuesday, July 1, upon third reading.

**S.B. 1654** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY AND THE TOWN OF CAMERON, for concurrence in the House Committee Substitute bill, upon third reading.

Upon motion of Senator East, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, McKissick, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

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**S.B. 1715** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR CLASS ACTIONS SEEKING THE REFUND OF STATE TAX PAID DUE TO AN ALLEGED UNCONSTITUTIONAL STATUTE.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives by special message.

**S.B. 2063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO MAKE IT UNLAWFUL TO TAMPER WITH A DEVICE, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE CHARGED FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

The Committee Substitute bill passes its second reading (45-0).

Senator Kinnaird objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for Tuesday, July 1, upon third reading.

**S.B. 2075** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION.

The Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives by special message.

**H.B. 545** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF

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DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 887** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2390**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

Upon motion of Senator Hartsell, the bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 1.

**H.B. 738** (Senate Committee Substitute ), A BILL TO BE ENTITLED AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES, as amended on second reading.

Senator Rand offers Amendment No. 2 which is adopted (45-0).

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The Senate Committee Substitute bill, as amended, passes its third reading (44-1) and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 1076** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE, re-referred to the **Appropriations/Base Budget Committee** on Wednesday, June 25.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Senate Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the Calendar for Wednesday, July 2, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the **Appropriations/Base Budget Committee** and places it on the Calendar for Wednesday, July 2.

**S.J.R. 101**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES FRANKLIN "JIM" RICHARDSON, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on Monday, February 12, 2007.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Tuesday, July 1, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Tuesday, July 1.

#### ENROLLED BILLS AND RESOLUTIONS

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

**H.B. 1304**, AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD.

**H.B. 2127**, AN ACT TO REPEAL THE LAW ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, SO AS TO SAVE FUNDS AND AVOID DUPLICATION.

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

**S.B. 1597**, AN ACT TO AUTHORIZE CABARRUS COUNTY; THE CITIES OF CONCORD, DURHAM, KANNAPOLIS, AND LOCUST; AND THE TOWNS OF CARY, HARRISBURG, MIDLAND, MOUNT PLEASANT, AND STANFIELD TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION.

**S.B. 1636**, AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY AND THE CITY OF WILSON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE.

**S.B. 1648**, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE.

**S.B. 1828**, AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE, WADESBORO, AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES.

**H.B. 2084**, AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS.

**H.B. 2091**, AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES.

**H.B. 2449**, AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS.

**H.B. 2455**, AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN.

**H.B. 2585**, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN.

**H.B. 2689**, AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX.

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**H.B. 2765**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE.

**H.B. 2783**, AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

**H.J.R. 2727**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL. (Res. 17)

### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 2121**, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM FROM, ON, OR ACROSS THE RIGHT-OF-WAY OF AN IMPROVED STATE-MAINTAINED ROAD OR HIGHWAY IN JACKSON COUNTY, WITH ONE EXCEPTION. (Became law upon ratification, June 26, 2008 - S.L. 2008-18.)

**H.B. 2122**, AN ACT TO PROHIBIT THE SHINING OF LIGHTS IN DEER AREAS IN JACKSON COUNTY. (Became law upon ratification, June 26, 2008 - S.L. 2008-19.)

**H.B. 2762**, AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT FOR RANDOLPH COUNTY TO ACCEPT PAYMENT OF THE FEE CHARGED BY THE COUNTY SHERIFF FOR OFFENDERS ORDERED TO PARTICIPATE IN PRETRIAL ELECTRONIC MONITORING. (Became law upon ratification, June 26, 2008 - S.L. 2008-20.)

**H.B. 2769**, AN ACT TO ANNEX A DESCRIBED AREA TO THE SATELLITE CORPORATE LIMITS OF THE CITY OF ASHEBORO. (Became law upon ratification, June 26, 2008 - S.L. 2008-21.)

*The Chair grants a leave of absence for the remainder of tonight's session to Senator Jenkins.*

*Upon the appearance of Senator Nesbitt in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

June 30, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2799**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ADAM LEE MARION, FORMER MEMBER OF THE ARMY NATIONAL GUARD.

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

The joint resolution passes its second reading (42-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator East, the courtesies of the gallery are extended to the family of Adam Marion: his mother and father, Donnie Lee Marion and Pam McCormick Marion; his sister and her husband, Terry and Adrian McCann; and their son, Connor McCann; his grandmother, Lou McCormick; and Surry County Sheriff, Graham Atkinson, and his daughter, Samantha.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2057**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SOPHIE ELLEN "JO" GRAHAM FOSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

The joint resolution passes its second reading (42-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Dannelly the Chair extends the courtesies of the gallery to Carl and Nancy Graham, nephew and his wife; Tom McClure, son-in-law; Jimmy and Jerry McClure, grandsons; Charles and Barbara Gordon; Joe and Janet Caudell; and Graham and Samantha Atkinson, friends.

The Senate recesses at 8:15 P.M. to reconvene at 8:30 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 tonight's session to Senator Boseman, Senator Dorsett and Senator Hagan.*

June 30, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.B. 2437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONTINUING APPROPRIATIONS AND EXTEND CERTAIN BUDGET PROVISIONS UNTIL JULY 15, 2008, AT 11:59 P.M.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute bill is placed on the Calendar for immediate consideration.

The Committee Substitute bill passes its second (38-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**ADDITIONAL SPONSORS**

Senator Blake requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator Hoyle requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Jones requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

Senator Purcell requests to be added as a sponsor of previously introduced legislation:

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**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator Queen requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator Tillman requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Senator Weinstein requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Upon motion of Senator Dannelly, seconded by Senator Rand, the Senate adjourns subject to ratification of bills and receipt of messages from the House of Representatives, to meet Tuesday, July 1, at 2:00 P.M.

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 2437**, AN ACT TO MAKE CONTINUING APPROPRIATIONS AND EXTEND CERTAIN BUDGET PROVISIONS UNTIL JULY 15, 2008, AT 11:59 P.M.

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

June 30, 2008

**H.B. 2530** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TAX CREDIT TO CONTRIBUTORS TO UNITS OF STATE AND LOCAL GOVERNMENTS FOR RENEWABLE ENERGY PROPERTY.

Referred to the **Finance Committee**.

**H.B. 2558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE.

Referred to the **Finance Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 8:46 P.M.

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### ONE HUNDRED FORTY-SECOND DAY

Senate Chamber  
Tuesday, July 1, 2008

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

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

"O God, stories in Holy Scripture about some of the heroes of our personal faith traditions, Moses, Abraham, David, Jesus, the Disciples. They all seemed to share a common denominator. The tasks to which you called them must have seemed impossible to accomplish. May the members of the Senate find encouragement for their seemingly impossible tasks this day by remembering that in the Biblical stories there seemed to be three stages of progression moving from what seemed impossible, to then what seemed rather difficult. And then by the grace and by your miracle, they were done. Give us encouragement from that knowledge. Amen."

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 30, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. R. Paul Rickett, Jr. from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day.*

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**RECOGNITION OF MISS NORTH CAROLINA**

With unanimous consent, upon motion of Senator Stevens, privileges of the floor are extended to Amanda Watson, Miss North Carolina 2008, from Garner. Senator Stevens, Senator Cowell, Senator Hunt, and Senator McKissick are appointed to escort Miss Watson to the Well of the Senate. Miss Watson is recognized to address the Senate.

The President recognizes the Committee to escort Miss Watson from the Chamber.

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.J.R. 101**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES FRANKLIN "JIM" RICHARDSON, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Rand, the joint resolution is taken up out of its regular order of business.

Upon motion of Senator Dannelly, the joint resolution is read in its entirety and, upon motion of Senator Brock, the remarks of the members, are spread upon the Journal, as follows:

**Senator Dannelly:**

"Ladies and Gentlemen of this August Body, I've known Jim Richardson for a long, long time. Jim was sort of responsible for, one of the persons responsible, for getting me into politics and gave me my first big contribution to my first run for office. It's hard to forget a person like that. Jim, as many of you know, some of you here know, was responsible for shepherding legislation through this General Assembly to get the necessary funding to support the construction of the Charlotte Convention Center. As a result of that, the ballroom at the Convention Center was named in his honor. You heard in the resolution that Jim was a member of the Masons, the Shriners, Sigma Pi Phi, better known as the Boule, and Omega Psi Phi Fraternity. Not only was he a member, but locally with the Masons, the Shriners and Sigma Pi Phi, Jim was the top leader. He was selected to be the leader of each one of those organizations. With Omega Psi Phi Fraternity, he was the local chapter Basileus. A couple of years later became the District Representative of Omega Psi Phi which covered North and South Carolina. Jim served as the chairperson of the Mecklenburg County Social Services and he served there until he was appointed to become Chairman of the State Board of Social Services where he did a fantastic job in both places. Jim and Mary were straightforward, sort of in-your-face truthful persons. When their elder son died of AIDS, they were not hush-hush about it. They spoke publicly about it at every moment and every opportunity afforded them in order to bring broader awareness and education to

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the community. Jim was comfortable in the presence of royalty or paupers. Rich or poor, no matter what Jim could blend in with any company and come out a shining star. Jim and Mary enjoyed life together and found humor in every aspect of their being. Many times their friends and some of you, I'm sure, would leave them with aching sides laughing at their comments to each other about you or somebody else or their jokes. I want to thank Mary and her family for sharing Jim with us. North Carolina is a better place because of Jim's services. And, Madame President, at the acceptance of this resolution I request that you recognize the Richardson family members who are in the gallery and, ladies and gentlemen, I urge you to support this resolution. Thank you, Madame President."

**Senator Graham:**

"As a young aspiring public official in the City of Charlotte, there were several rites of passage that you had to go through to stake your claim to leadership in representing our community. Senator Dannelly was one of those rites of passage and Senator Richardson WAS the rite of passage. You had to talk to Jim, let him know who you were and why you were doing what you wanted to do. He was a fair man. He would call you up when you would make a good vote on the Charlotte City Council and congratulate you or he would call you and ask you if you bumped your head when you made a bad vote. He was very blunt, very articulate, and the ultimate statesman in our community. He was an alumnus of my institution, Johnson C. Smith University. All the political science majors at the institution always kind of looked at Senator Richardson for his leadership and all he accomplished in our community, working first as a postal worker public servant, serving as a member of the North Carolina State Senate public servant, serving as a member of the Mecklenburg Board of County Commissioners public servant and just being Jim Richardson. He was a statesman in our community, he was a rite of passage, and he was an example that I looked forward to as to how I want to be remembered when my political career is over. We all just knew that Jim Richardson, Senator Richardson, would just do what was right and what is fair. I remember one conversation with him when we were discussing an item, Senator Dannelly, the MWBE vote in the City of Charlotte, and we disagreed on that and he said, 'You know sometimes, Graham, sometimes doing what is right is not popular and sometimes doing what is popular is not right. You're just going to have to make a decision that you believe is right and for all the right reasons.' He was always fair and never pointed an accusing finger at anyone. He just wanted to make sure that anytime you made a decision that you made it for the right reasons and that you made it based it on good information and judgment. I see Mary Richardson is in the audience and I want to thank Mary for being a strong woman behind a strong man. She certainly is and they worked as a team in many aspects of their representation of Charlotte and Mecklenburg County. Senator Richardson, and I can't call him Jim, Senator Richardson certainly was a role model to me and other aspiring young African-American leaders in Mecklenburg County. I commend the resolution to you."

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**Senator Rucho:**

“Members of the Senate, I had the opportunity and the honor of serving with Jim Richardson on the County Commission in Mecklenburg County for one term. He and I sat next to each other so I had a full dose of whatever he had to think about and it was always entertaining and always informative. We may not have agreed all the time but we had fun doing what we were doing on behalf of the people of our county. When I think of Jim, there were a number of occasions that I would say something regarding an issue and talk, and he’d say, ‘Rucho, you’re right. You’re just right on that issue.’ And then he’d vote against what I did! So, I’d scratch my head and wonder but he would smile at me and I will tell you we were always doing the good things for the people of Mecklenburg County and I was honored to be with him and honored to know him as a friend. I commend this resolution to you.”

**Senator Forrester:**

“I’d like to debate the resolution on Jim Richardson who was one of my best friends here in the State Senate. When I first came to the Senate in 1990, I sat over in Seat 33 where Senator McKissick is and Jim sat in 13, I think, where Senator Swindell is. When I came into the Senate as a freshman, he stood up, all 6’2” or so of him, slightly peppered hair, a real slow deep voice, and said, ‘Welcome to the Senate, Jim Forrester’, and we were friends from the very beginning. He was more or less my mentor. It’s kind of strange to have a Democrat, African-American and a Caucasian Republican as good friends but we were. He found out that I had a lot of common interests with him in health care and helping the poor and mental health and education. He served on these committees. We served there together and at lunch time we would frequently talk about these issues. I remember one Thursday when he left Raleigh his car was broken and he asked me if I could drive him back to Charlotte which I did. And for three hours and fifty minutes, Jim talked about his life, about how he grew up in Charlotte, went to college and worked for the postal service and the postmaster, about his concerns for the poor, of those in need, and we had many common interests. I will miss Jim. I cried when I heard about his son’s death, Senator Dannelly, and my heart cried when he passed away. Shortly after that, I read a small short poem about Jim which I’ve had in my desk since then. It says, ‘You can shed tears that he’s gone or you can smile because he lived. You can close your eyes and pray that he’ll come back, or you can open your eyes and see all that he’s left.’ He left many things to us. I thank the Richardson family for sharing him with us and I urge you to support this resolution.”

**Senator Allran:**

“Those were awfully eloquent words that Senator Forrester gave and I know where he’s coming from. I sat over there, either where Senator Bingham is or Senator Stevens, and Jim sat right in front of me. Senator Richardson was such an easy person to get to know and to like. I served four terms with him and just immensely enjoyed interacting with him. Like Senator Forrester, he would tell me a lot about himself and about his background and he would talk about the

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experiences of growing up in Charlotte and what it was like back in the old days suffering the discrimination that African-Americans did suffer and when they were little kids. And what was so neat about Senator Richardson was that his outlook, although of course it was framed to a large extent by his experiences, he had a very moderate and conciliatory outlook on things. He didn't seem to be scarred or anything by growing up under the old system. He just seemed to be affected by it but his attitude was one of conciliation. This is kind of a funny story I had on him that always, if you knew him, he was always laughing and he was always smiling. One day I came in and there he was sitting in front of me and he was wearing a cap that had a confederate flag on the front. He took that cap off and he said, 'Well, I'm not going to keep this but you can have it', and so I stuck it in the drawer at the back of the desk, back there where we used to have some cabinets. I went back there to look for it when I heard that he had died because I always was struck by the fact that he had done that and was so comical and funny about it, but I guess when the Chamber got renovated, it got gone. It's just little things like that that makes me think of him and I didn't know him as well as some of you, Senator Dannelly or Senator Graham, and the people from Charlotte, but I did have the pleasure of serving with him for four terms and I can tell you he was a really, really neat person. I urge your support of the resolution."

**Senator Rand:**

"It's impossible to think about Jim and Mary without smiling and feeling better about things. Jim was a great fellow. Jim would tell you what he thought and when he told you, you'd never have to think about that again because you knew that's where Jim was and that's where he'd stay. There was nobody anywhere that you'd rather go off with than Jim and Mary. It was incredible times, he was just a great fellow to be with, to serve with, to do anything with and we were lucky to have had Jim. Jim was lucky to have had Mary and Mary was lucky to have Jim. The world, our world, was a better place, a happier place, a more understanding and more aware place because Jim was a part of it and so I remember him with great affection and really I am just delighted that I had the opportunity to be a part of Jim's life in some small way and I am most thankful for his service to us in North Carolina. Thank you."

**Senator Basnight:**

"Members of the Senate, I think of Jim and one of the last times I saw him was walking over the bridge between the buildings and Jim stopped me and we chatted about some small issues, Mary, just small talk. He was good at that. But he was the kind of person that when you walked across the bridge you wanted to stop and spend a little time with him. Some people you want to sort of pick up the pace and get by them, but not Jim. Jim had a lot to offer in life in that he cared so very much for people. He had a great love for life and what life would give others when you would reach out to find some benefit, some person in need. He called me one morning early and said, 'Would you speak on behalf of a taxing bill to build a Convention Center in Charlotte?' I told him that I did

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not know too much about that but I'd be happy to do so, but I believe you'd do well if you would call on some more senior member who has more stature than I do and maybe the members would listen to what they had to say, more so than me. He said, 'I'm no fool. I've called everybody and I've got down to you!' I did speak and I did a little research and I found out that Dare County needed that same tax. It was an occupancy food tax, unusual in North Carolina at that time, in that it was a higher tax than we had allowed at that particular time. I mounted the effort as best I could. I went to some of the leadership and told them that it would benefit not just Charlotte but Dare County and then Wake County got involved, also, Richard, and had it not been for Jim I do not believe that Convention Center in Charlotte would have been built. It was he who worked every one of us that morning in committee and I stood and I fought, Martin, for that tax and I felt a little bit like you at times when you would mount an effort and you were the only one involved in that effort. I kind of felt that way that day. But Jim's persuasive ways and the understanding that he was for something made it awfully difficult for you to say no because he wouldn't stand often and pronounce his positions so much on the floor of the Senate or in a committee, but he made you believe in what he believed in and we passed it that day. That's one of the times in this Senate that I saw a guy move the whole Body to do something that was good for a part of our State and it benefited me. He and Bo Thomas were good buddies. Bo Thomas sat back here at that particular time and Bo told me one day, Mary, that of all the people in the Senate, this guy you can trust more than any of them. He was a giant of a guy, a wonderful friend, and I recommend the resolution to you."

**Lieutenant Governor Perdue:**

"If I may, members of the Senate, Jim Richardson was one of the best men I've ever met in my life. He loved my kids, he loved me, and this campaign that just ended. There were many folks in Charlotte who might not have wanted to support me, but they did it because they said Jim Richardson would haunt them forever if they didn't and if Jim didn't haunt them, Mary would kill them! And I like that kind of support. We thank you for his life and for your life and not a day goes by that somebody doesn't talk about how great he was. It does show that one man can really change a whole community's life. We thank you."

The joint resolution passes its second reading (50-0) and third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Dannelly the President extends the courtesies of the gallery to Mary Richardson, wife of Senator Jim Richardson.

**ENROLLED BILLS AND RESOLUTIONS**

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

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**S.B. 1654**, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY AND THE TOWN OF CAMERON.

**H.J.R. 2057**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SOPHIE ELLEN "JO" GRAHAM FOSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 18)

**H.J.R. 2799**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ADAM LEE MARION, FORMER MEMBER OF THE ARMY NATIONAL GUARD. (Res. 19)

### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1597**, AN ACT TO AUTHORIZE CABARRUS COUNTY; THE CITIES OF CONCORD, DURHAM, KANNAPOLIS, AND LOCUST; AND THE TOWNS OF CARY, HARRISBURG, MIDLAND, MOUNT PLEASANT, AND STANFIELD TO PROVIDE DEVELOPMENT INCENTIVES IN EXCHANGE FOR REDUCTIONS IN ENERGY CONSUMPTION. (Became law upon ratification, June 30, 2008 - S.L. 2008-22.)

**S.B. 1636**, AN ACT TO AUTHORIZE THE TOWN OF MOREHEAD CITY AND THE CITY OF WILSON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWN'S PUBLIC NUISANCE ORDINANCE. (Became law upon ratification, June 30, 2008 - S.L. 2008-23.)

**S.B. 1648**, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF MIDDLESEX AND NASHVILLE. (Became law upon ratification, June 30, 2008 - S.L. 2008-24.)

**S.B. 1828**, AN ACT AUTHORIZING THE TOWNS OF MARSHVILLE, WADESBORO, AND WINGATE TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE TOWNS' OVERGROWN VEGETATION ORDINANCES. (Became law upon ratification, June 30, 2008 - S.L. 2008-25.)

**H.B. 2084**, AN ACT AMENDING THE EFFECTIVE DATE OF THE ANNEXATION OF CERTAIN PROPERTY BY THE TOWN OF LANDIS. (Became law upon ratification, June 30, 2008 - S.L. 2008-26.)

**H.B. 2091**, AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO AUTHORIZE THE TOWN TO CONTRACT WITH

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ANY COUNTY IN WHICH A PORTION OF THE TOWN IS LOCATED FOR THE COLLECTION OF TAXES. (Became law upon ratification, June 30, 2008 - S.L. 2008-27.)

**H.B. 2449**, AN ACT ALLOWING THE TOWN OF MAGGIE VALLEY TO ANNEX BY VOLUNTARY PETITION AREAS THAT ARE MORE THAN THREE MILES FROM THE TOWN'S PRIMARY CORPORATE LIMITS. (Became law upon ratification, June 30, 2008 - S.L. 2008-28.)

**H.B. 2455**, AN ACT TO PERMIT THE CITY OF OXFORD TO INCREASE ITS MOTOR VEHICLE PRIVILEGE TAX FROM TEN DOLLARS TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE TOWN. (Became law upon ratification, June 30, 2008 - S.L. 2008-29.)

**H.B. 2585**, AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF GRANITE QUARRY, KENANSVILLE, LILLINGTON, NASHVILLE, RICHLANDS, AND TROUTMAN. (Became law upon ratification, June 30, 2008 - S.L. 2008-30.)

**H.B. 2689**, AN ACT TO EXTEND THE SUNSET ON THE DURHAM CITY ADDITIONAL MUNICIPAL VEHICLE TAX. (Became law upon ratification, June 30, 2008 - S.L. 2008-31.)

**H.B. 2765**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE AND THE TOWN OF MOORESVILLE. (Became law upon ratification, June 30, 2008 - S.L. 2008-32.)

**H.B. 2783**, AN ACT TO AUTHORIZE CHEROKEE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MAKE OTHER ADMINISTRATIVE CHANGES. (Became law upon ratification, June 30, 2008 - S.L. 2008-33.)

**H.B. 2437**, AN ACT TO MAKE CONTINUING APPROPRIATIONS AND EXTEND CERTAIN BUDGET PROVISIONS UNTIL JULY 15, 2008, AT 11:59 P.M. (Became law upon approval of the Governor, June 30, 2008 - S.L. 2008-34.)

#### **ELECTION OF MEMBER TO THE STATE BOARD OF COMMUNITY COLLEGES**

Pursuant to a report received from the **Education/Higher Education Committee** on Wednesday, June 25, the Committee places in nomination the name of Naomi Dags to fill an unexpired term on the State Board of Community Colleges effective immediately and ending June 30, 2011.

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Senator Swindell is recognized and outlines the procedures to be followed pursuant to G.S. 115D-2.1(b)4e. and f., and announces that no further nominations shall be received.

The President orders the Reading Clerk to call the roll and directs the Members to vote "aye" or "no" for Naomi Daggs.

Members voting for Naomi Daggs are as follows: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--50.

Those voting against Naomi Daggs are as follows: None.

In compliance with G.S. 115-2.1(b)(4)f, the election of Naomi Daggs to the State Board of Community Colleges to fill an unexpired term effective immediately and expiring June 30, 2011, is confirmed by an electronically recorded vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---50.

Voting in the negative: None.

The President declares Naomi Daggs elected to the State Board of Community Colleges to fill an unexpired term effective immediately and ending June 30, 2011.

The President orders a message sent to the House of Representatives by special message informing that Honorable Body of such action.

## REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 2218** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF AHOSKIE AND TO AMEND THE MEMBERSHIP OF THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

**H.B. 2271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE

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"QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD, with a favorable report.

**H.B. 2278**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER, with a favorable report.

**H.B. 2575**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION, with a favorable report.

**H.B. 2752** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY, with a favorable report.

**S.B. 1787**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85486, is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 44** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, with a favorable report.

**H.B. 2391**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10483, which changes the title upon concurrence to read **H.B. 2391** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE

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DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, is adopted and engrossed.

**H.B. 1284** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CAUSE OF ACTION FOR BREACH OF CONTRACT OR BREACH OF WARRANTY ARISING OUT OF THE PERFORMANCE OF A CONSTRUCTION PROJECT TO IMPROVE REAL PROPERTY IS DEEMED TO ACCRUE AT THE TIME OF THE OCCURRENCE OF THE BREACH OR UPON SUBSTANTIAL COMPLETION OF THE CONSTRUCTION, WHICHEVER OCCURS LATER, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10482, which changes the title upon concurrence to read **H.B. 1284** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CAUSE OF ACTION AGAINST A LOCAL GOVERNMENT ARISING OUT OF A CONTRACT TO IMPROVE REAL PROPERTY OTHERWISE BARRED BY THE STATUTE OF LIMITATIONS MAY BE COMMENCED NO LATER THAN NINETY DAYS AFTER SUBSTANTIAL COMPLETION OF THE CONSTRUCTION, is adopted and engrossed.

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**H.B. 2463** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80629, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

**H.B. 2487** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE

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SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10485, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 2524** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM THE PROVISIONS OF THE COMMERCIAL FEED ACT, with a favorable report.

**H.B. 821** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51036, which changes the title upon concurrence to read **H.B. 821** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPECIFY THOSE AREAS OUTSIDE OF THE STATE OF NORTH CAROLINA IN WHICH NOTICES RELATED TO A PROPOSED INTERBASIN TRANSFER OF WATER SHALL BE GIVEN AND TO PROVIDE FOR A STUDY BY THE ENVIRONMENTAL REVIEW COMMISSION OF THE DELINEATION OF MAJOR RIVER BASINS AND SUBBASINS WITHIN THIS STATE AS A PART OF THE ONGOING STUDY OF THE ALLOCATION OF WATER RESOURCES BY THE COMMISSION, is adopted and engrossed.

By Senator East for the **State & Local Government Committee**:

**H.B. 2092**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO CHANGE THE NAME OF THE TOWN'S FIRE DEPARTMENT, with a favorable report.

**H.B. 2123**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY, with a favorable report.

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**H.B. 2255**, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDGEcombe, NASH, AND WILSON COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS, with a favorable report.

**H.B. 2347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY, with a favorable report.

**H.B. 2402**, A BILL TO BE ENTITLED AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report.

**H.B. 2444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS, with a favorable report.

**H.B. 2464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY, with a favorable report.

**H.B. 2726**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE AND UNENFORCEABLE PROVISION OF THE POLKVILLE TOWN CHARTER, with a favorable report.

**H.B. 2748** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT, with a favorable report.

**H.B. 2763**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY FROM SIX TO EIGHT MEMBERS, with a favorable report.

**H.B. 2770** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITIES OF WINSTON-SALEM AND ASHEBORO FOR CONSTRUCTION OR REPAIR PROJECTS, with a favorable report.

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**S.B. 1749**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY, with an unfavorable report.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2797**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOUISE SMITH BRENNAN, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

The joint resolution passes its second (50-0) and third readings with members standing and is ordered enrolled.

Upon motion of Senator Clodfelter, the President extends the courtesies of the gallery to the family of Representative Brennan, Jane Rollins, daughter; and grandchildren, Brennan Coleman and David Rollins.

### **CALENDAR** *(continued)*

**H.B. 2156** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF LELAND AND THE CITY OF MOUNT HOLLY TO LEVY A ROOM OCCUPANCY TAX, upon third reading as amended on second reading.

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 47, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: Senators East, Forrester and Rucho---3.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives by special message for concurrence.

### **PRIVILEGES OF THE FLOOR**

The President extends privileges of the floor to The Honorable Robert D. Warren, former Senator from Johnston County.

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**CALENDAR** *(continued)*

**H.B. 2390**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

The bill passes its second (50-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**S.B. 2063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODEL NORTH CAROLINA'S SATELLITE-BASED MONITORING LAWS AFTER THE STATE OF FLORIDA'S "JESSICA'S LAW" IMPOSING LIFETIME SATELLITE-BASED MONITORING ON OFFENDERS WHO HAVE TAKEN INDECENT LIBERTIES WITH CHILDREN, TO MAKE IT UNLAWFUL TO TAMPER WITH A DEVICE, TO CLARIFY THE PURPOSE AND APPLICATION OF THE SATELLITE-BASED MONITORING LAWS FOR SEX OFFENDERS, TO AMEND THE FEE CHARGED FOR ENROLLMENT INTO THE MONITORING PROGRAM, AND TO DIRECT THE STATE DEPARTMENT OF JUSTICE TO REPORT ON ANY NECESSARY CHANGES TO THE STATE SEX OFFENDER REGISTRATION LAWS FOR COMPLIANCE WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

The Committee Substitute bill passes its third reading (50-0) and is ordered sent to the House of Representatives by special message.

**WITHDRAWAL FROM COMMITTEE**

**S.B. 1988** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO BURN A CROSS OR HANG A NOOSE FOR THE INTENT OF INTIMIDATING ANOTHER PERSON BECAUSE OF RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN AND TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE, re-referred to the **Appropriations/Base Budget Committee** on Wednesday, June 11.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the Calendar for Wednesday, July 2, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Appropriations/Base Budget Committee** and places it on the Calendar for Wednesday, July 2.

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**S.B. 2131** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY, referred to the **State & Local Government Committee** on Thursday, June 26.

Pursuant to Rule 47(a), Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the **State & Local Government Committee** and placed on the Calendar for Wednesday, July 2, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the **State & Local Government Committee** and places it on the Calendar for Wednesday, July 2, for concurrence.

**S.B. 2064**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO APPROPRIATE FUNDS FOR THAT PURPOSE, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEY'S FEES, referred to the **Appropriations/Base Budget Committee** on Wednesday, May 28.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Appropriations/Base Budget Committee** and re-refers the measure to the **Judiciary I Committee**.

#### ADDITIONAL SPONSORS

Senator Forrester requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2033**, A JOINT RESOLUTION RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL AND REAFFIRMING BONDS OF FRIENDSHIP AND COOPERATION BETWEEN THE STATE OF NORTH CAROLINA AND ISRAEL.

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Upon motion of Senator Basnight, seconded by Senator Atwater, the Senate adjourns subject to receipt of committee reports and messages from the House of Representatives, to meet Wednesday, July 2, at 3:00 P.M.

July 1, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 1, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to G.S. 115D-2.1 (b)(4)e. and f., the House of Representatives has elected and confirmed Anita R. Powers to serve on the State Board of Community Colleges for a term beginning July 1, 2008, to expire June 30, 2009.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 1, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 212**, A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, and requests conferees, Speaker Hackney appoints:

Representative Bordsen, Chair  
Representative Goodwin  
Representative Martin  
Representative Stam, and  
Representative Ray

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 1, 2008

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 236** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL HOUSEMOVING STATUTES CONTAINED IN ARTICLE 16 OF CHAPTER 20 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 2, for concurrence.

**S.B. 1895** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING JOHNSTON COUNTY TO RENOVATE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 2, for concurrence.

**H.B. 2488** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM.

Referred to the **State & Local Government Committee**.

**H.B. 2580** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.

Referred to the **Finance Committee**.

**H.B. 2640**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY.

Referred to the **State & Local Government Committee**.

**H.B. 2666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HOSPITAL POLICE OFFICERS IN ASHE COUNTY CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES TO DIRECT TRAFFIC ON STREETS AND HIGHWAYS ADJACENT TO THE HOSPITAL AND HOSPITAL HELIPAD IN ORDER TO FACILITATE HELICOPTER TRAFFIC.

Referred to the **State & Local Government Committee**.

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**H.B. 2771**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL.

Referred to the **State & Local Government Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Dalton for the **Pensions & Retirement and Aging Committee**:

**S.B. 2160**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND, with a favorable report.

**H.B. 2451** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR VOLUNTEER FIREMEN IN THE TOWN OF ELKIN AND TO REPEAL THE PROVISIONS PROVIDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF BURLINGTON, with a favorable report.

**H.B. 2614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF STOVALL TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES, with a favorable report.

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report.

**S.R. 1927**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, favorable as to adoption.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:20 P.M.

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July 1, 2008

**ONE HUNDRED FORTY-THIRD DAY**

Senate Chamber  
Wednesday, July 2, 2008

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

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

"Dear God, today I simply want to offer thanks for all the good things often overlooked that go on daily right here in this Senate Chamber. For our time together, like right now in prayer, for personal gestures of friendship and concern and kindness that transcend the political agenda. For good minds that reason, for hands that write, and for voices that proclaim. Over the years, I've noticed the best and least publicized work of this body has always been accomplished under such a mantle of community. We are grateful for that. Amen."

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Tuesday, July 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Emily Whaley from Beulaville, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1669**, AN ACT TO CLARIFY THE AUTHORITY OF AND PROVIDE GUIDANCE TO LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES IN ADOPTING WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, ON COMMUNITY COLLEGE CAMPUSES, AT COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE PROPERTY, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

**S.B. 1687**, AN ACT TO DIRECT THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM TO REPORT ANNUALLY TO THE PUBLIC HEALTH STUDY COMMISSION, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

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**S.B. 1825**, AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY.

**H.B. 2390**, AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING.

**H.B. 2529**, AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**S.J.R. 101**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES FRANKLIN "JIM" RICHARDSON, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 20)

**H.J.R. 2797**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LOUISE SMITH BRENNAN, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 21)

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1876**, AN ACT TO MODIFY THE CIRCUIT BREAKER TAX BENEFIT, TO STANDARDIZE ADMINISTRATION OF ALL DEFERRED PROPERTY TAX PROGRAMS, AND TO CORRECT THE EFFECTIVE DATE OF CHANGES TO THE HOMESTEAD EXCLUSION. (Became law upon approval of the Governor, July 1, 2008 - S.L. 2008-35.)

**H.B. 2287**, AN ACT TO EXPRESSLY AUTHORIZE THE USE OF ELECTRONIC OR FACSIMILE RECEIPTS UNDER RULE 4 OF THE RULES OF CIVIL PROCEDURE WHEN SERVICE OF PROCESS IS PROVIDED BY A DESIGNATED PRIVATE DELIVERY SERVICE, AND TO MAKE CONFORMING CHANGES REGARDING PROOF OF SERVICE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, July 1, 2008 - S.L. 2008-36.)

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**H.B. 2178**, AN ACT TO AUTHORIZE NONPROFIT CORPORATIONS TO ALLOW CERTAIN VOTES BY ELECTRONIC TRANSMISSION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, July 1, 2008 - S.L. 2008-37.)

**H.B. 1679**, AN ACT ALLOWING JOINT MUNICIPAL ASSISTANCE AGENCIES TO MAKE AND EXECUTE CONTRACTS FOR PERIODS GREATER THAN THREE YEARS TO ACHIEVE ECONOMY, ADEQUACY, AND RELIABILITY. (Became law upon approval of the Governor, July 1, 2008 - S.L. 2008-38.)

**S.B. 1654**, AN ACT TO REMOVE A DESCRIBED AREA FROM THE CORPORATE LIMITS OF THE CITY OF MOUNT AIRY AND THE TOWN OF CAMERON. (Became law upon ratification, July 1, 2008 - S.L. 2008-39.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**H.B. 2523** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, with a favorable report.

By Senator Swindell for the **Education/Higher Education Committee**:

**H.B. 2360** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

**H.B. 2306** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION

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AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10487, which changes the title upon concurrence to read **H.B. 2306** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DETERMINE RESPONSIBILITY FOR CHILDREN WITH DISABILITIES PLACED IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES BY PUBLIC AGENCIES OTHER THAN LOCAL EDUCATIONAL AGENCIES, is adopted and engrossed.

By Senator Shaw for the **Transportation Committee**:

**H.B. 93**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY ISSUES RELATING TO INDIVIDUALS BEING TRANSPORTED IN VEHICLES WHILE SEATED IN WHEELCHAIRS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51039, is adopted and engrossed.

**H.B. 133** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE USE OF ALL-TERRAIN VEHICLES FOR BEACH DRIVING FROM THE REQUIREMENTS OF ALL-TERRAIN VEHICLE REGULATION, with a favorable report.

**H.B. 2364**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM, with a favorable report.

By Senator East for the **State & Local Government Committee**:

**S.B. 2134**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75596, which changes the title to read **S.B. 2134** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS FROM FIVE TO SEVEN MEMBERS, is adopted and engrossed.

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**H.B. 2343**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70793, is adopted and engrossed.

**H.B. 2738**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10484, is adopted and engrossed.

**H.B. 2468** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT IREDELL COUNTY FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51034, which changes the title upon concurrence to read **H.B. 2468** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT IREDELL COUNTY AND THE TOWN OF MOORESVILLE FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS, is adopted and engrossed.

#### CONFERENCE REPORT

Senator Foriest, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 212** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, submits for adoption the following report:

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 212, A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, House Committee Substitute Favorable 6/19/08, submit the following report:

The Senate concurs in the House Committee Substitute.

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

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Date Conferees approved report: July 2, 2008.

*Conferees for the Senate*

S/Tony Foriest, Chair  
S/Doug Berger  
S/Fletcher L. Hartsell, Jr.  
S/Eleanor Kinnaird

*Conferees for the House of Representatives*

S/Alice L. Bordsen, Chair  
S/Melanie Wade Goodwin  
S/Grier Martin  
S/Paul Stam  
S/Karen B. Ray

The Conference Report is placed on the Calendar for Thursday, July 3, for adoption.

**SENATE PAGES**

The Chair recognizes the following pages serving in the Senate this week:

Mycal Brickhouse, Fayetteville; Ronnie Clark, Cary; Katrina Connor, Raleigh; Adam Craven, Hope Mills; Walker Flythe, Winston-Salem; Lauren Kalin, Cary; Josh Kramer, Whiteville; Chelsea Lee, Stem; Pierce Lynch, Chapel Hill; Victoria McAllister, Stem; Ian McCoy, Cramerton; Diquan McGill, Raleigh; Haylee McLean, Willow Springs; Kathryn Nelson, New Bern; Leah Nobles, Raleigh; Henry Pollitt, Raleigh; Lauren Pratt, Raleigh; John Rosser, Raleigh; Willy Rowe, Raleigh; Gianna Salamido, Cary; Katy Searcy, Morganton; Cawood Simpson, Winston-Salem; Gregory Skipper, Ocean Isle Beach; Si Statham, Greensboro; Alex Swain, Durham; Natalie Thomas, Cary; Immanuel Vinson, Raleigh; Stephanie Weinstein, Atlanta, Georgia; and Taylor Woolard, Washington.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 2341** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51035, is adopted and engrossed.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2774** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANK WARNER CAPRA, JR., FOR HIS CONTRIBUTIONS TO THE DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA.

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

Upon motion of Senator Shaw, the remarks of the members are spread upon the Journal, as follows:

#### **Senator Boseman:**

"I want to speak in favor of this resolution that honors Frank Capra, Jr. as he was a good friend and a great friend to the film community in Wilmington and across the State of North Carolina. He spent many hours working with the students and staff in the film department at UNC-W, encouraging, inspiring, and sharing wisdom on the intricacies of film making. He also served as the first president of EUE Studios located in New Hanover County and was a member of the North Carolina Film Commission. Frank's work with Dino De Laurentis helped turn North Carolina into a multi-million dollar film and television series producer. Frank's presence will be sorely missed among the film industry. He was a lively spirit, a generous soul and a tireless voice in support of the independent and major studio film-making. I think his life is well-deserving of this honor and I believe there are members of his family here. In the gallery there should be Jonathan Michael Capra, his son; his daughter-in-law, Amy; and his nine-year-old granddaughter, Madeline. I want to thank you all for being here today and I also want to thank Frank for all he did to promote film and creativity in North Carolina. We are all very familiar with his father's film, *It's a Wonderful Life*, and *Mr. Smith goes to Washington* and Frank was very instrumental in helping pass the film incentive bill a few years ago and came to testify in front of the Finance Committee which the headlines in the Wilmington paper were, *Mr. Capra Goes to Raleigh*. Fellow members of the Senate, I ask that you please join me in support of House Joint Resolution 2774, honoring the life and memory of Frank Warner Capra, Jr."

#### **Senator Shaw:**

"Thank you, Senator Boseman. I left North Carolina at a young age of sixteen and went to college and I never came back until about ten years later after finishing some of my work and one of the first things when I got back, I was given a book called *The Name Above the Title*. It was written by Frank

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Capra and he talks about his life in Hollywood and he was not considered one of the majors. He was an innovator and he did a lot of things to promote the war. He used Hollywood and used film to promote the war effort and he was noted for that and he had a lot of good recognition. He never made the big blockbusters except *Mr. Smith Goes to Washington* and *It's a Wonderful Life* which turned out to be classics. But I want to thank Senator Boseman for bringing this to our attention and I recall when his son brought the industry to North Carolina. This was a great day, this was an innovator following in his fathers footsteps and we have all benefited as North Carolinians from the genius of the man. So I want to thank you and thank you for allowing me to speak.”

The joint resolution passes its second reading (49-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Boseman the President extends the courtesies of the gallery to Frank Capra's son, Jonathan Michael Capra and his wife, Amy; and their daughter, Madalyn Capra.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2796**, A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH ANNIVERSARY OF "EVERYBODY'S DAY," THE OLDEST FESTIVAL IN NORTH CAROLINA.

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

The joint resolution passes its second (49-0) and third readings and is ordered enrolled.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2798**, A JOINT RESOLUTION HONORING THE MEMORY OF THE CREW OF THE B-24J LIBERATOR WHO WAS LOST DURING WORLD WAR II, AND EXPRESSING GRATITUDE TO CLAYTON KUHLES FOR HIS DISCOVERY OF THE PLANE, NICKNAMED "HOT AS HELL," IN 2006.

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

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**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE "QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, July 3, upon third reading.

**H.B. 2278**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, July 3, upon third reading.

**H.B. 2752** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest,

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Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, July 3, upon third reading.

**S.B. 2160**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND.

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

**H.B. 2092**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO CHANGE THE NAME OF THE TOWN'S FIRE DEPARTMENT.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2123**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2347**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2402**, A BILL TO BE ENTITLED AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 2451** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR

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VOLUNTEER FIREMEN IN THE TOWN OF ELKIN AND TO REPEAL THE PROVISIONS PROVIDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF BURLINGTON.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 2464** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 2575**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF STOVALL TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2726**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE AND UNENFORCEABLE PROVISION OF THE POLKVILLE TOWN CHARTER.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2763**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY FROM SIX TO EIGHT MEMBERS.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

**H.B. 2770** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITIES OF WINSTON-SALEM AND ASHEBORO FOR CONSTRUCTION OR REPAIR PROJECTS.

The Committee Substitute bill No. 2 passes its second and third readings and is ordered enrolled.

**H.B. 2218** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF AHOSKIE AND TO AMEND THE MEMBERSHIP OF THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

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**H.B. 2255**, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDGECOMBE, NASH, AND WILSON COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

Senator Swindell offers Amendment No. 1 which is adopted (49-0).

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence in Senate Amendment No. 1.

**S.B. 1895** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING JOHNSTON COUNTY TO RENOVATE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Smith, the Senate concurs in the House Committee Substitute bill (50-0) and the bill is ordered enrolled.

**S.B. 2131** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Preston, the Senate concurs in the House Committee Substitute bill (50-0) and the bill is ordered enrolled.

**H.J.R. 2798**, A JOINT RESOLUTION HONORING THE MEMORY OF THE CREW OF THE B-24J LIBERATOR WHO WAS LOST DURING WORLD WAR II, AND EXPRESSING GRATITUDE TO CLAYTON KUHLES FOR HIS DISCOVERY OF THE PLANE, NICKNAMED "HOT AS HELL," IN 2006, placed earlier on today's Calendar.

The joint resolution passes its second (50-0) and third readings and is ordered enrolled.

Upon motion of Senator Stevens, the President extends the courtesies of the gallery to Gary and Regina Zaetz and family, whose uncle was a crew member of the B-24J Liberator.

**S.B. 1787** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Committee Substitute bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives by special message.

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**WITHDRAWAL FROM TABLE**

**S.B. 1749**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY, placed upon the table pursuant to an unfavorable report by the State & Local Government Committee on July 1.

Senator Rand offers a motion that the bill be taken from the table and re-referred to the State & Local Government Committee. The motion prevails by a two-thirds vote (47-3).

The bill is re-referred to the **State & Local Government Committee**.

**S.B. 1988** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO BURN A CROSS OR HANG A NOOSE FOR THE INTENT OF INTIMIDATING ANOTHER PERSON BECAUSE OF RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN AND TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.

Senator Berger of Franklin offers Amendment No. 1 which is adopted (48-2).

Senator Goodall offers Amendment No. 2 which is adopted (39-11).

Senator Tillman offers Amendment No. 3 which fails of adoption (16-34).

The Committee Substitute bill, as amended, passes its second (47-3) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 44** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 821** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPECIFY THOSE AREAS OUTSIDE OF THE STATE OF NORTH CAROLINA IN WHICH NOTICES RELATED TO A PROPOSED INTERBASIN TRANSFER OF WATER SHALL BE GIVEN AND TO PROVIDE FOR A STUDY BY THE ENVIRONMENTAL REVIEW COMMISSION OF THE DELINEATION OF MAJOR RIVER BASINS AND SUBBASINS WITHIN THIS STATE AS A PART OF THE ONGOING STUDY OF THE ALLOCATION OF WATER RESOURCES BY THE COMMISSION.

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The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 1076** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 1284** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CAUSE OF ACTION AGAINST A LOCAL GOVERNMENT ARISING OUT OF A CONTRACT TO IMPROVE REAL PROPERTY OTHERWISE BARRED BY THE STATUTE OF LIMITATIONS MAY BE COMMENCED NO LATER THAN NINETY DAYS AFTER SUBSTANTIAL COMPLETION OF THE CONSTRUCTION.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2391** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2487** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

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**H.B. 2524** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM THE PROVISIONS OF THE COMMERCIAL FEED ACT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 2748** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT.

The Committee Substitute bill passes its second (49-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

The bill passes its second reading (49-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 3, upon third reading.

**S.B. 236** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROFESSIONAL HOUSEMOVING STATUTES CONTAINED IN ARTICLE 16 OF CHAPTER 20 OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.R. 1927**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

The Senate resolution is adopted (49-0).

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**WITHDRAWAL FROM COMMITTEE**

**S.B. 1971** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF ROCKY MOUNT AND WILSON TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS, referred to the **State & Local Government Committee** on Thursday, June 26.

Pursuant to Rule 47(a), Senator Rand offers a motion that the House Committee Substitute bill be withdrawn from the **State & Local Government Committee** and placed on the Calendar for Thursday, July 3, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the **State & Local Government Committee** and places it on the Calendar for Thursday, July 3, for concurrence.

**H.B. 2410**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, referred to the **Rules and Operations of the Senate Committee** on Tuesday, June 10.

Pursuant to Rule 47(a), Senator Rand offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Health Care Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Rules and Operations of the Senate Committee** and re-refers the measure to the **Health Care Committee**.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 2463** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT, with a favorable report.

**S.B. 1407** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT CONSUMERS FROM UNLAWFUL SALE OF ADMISSION

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TICKETS IN EXCESS OF THE PRINTED PRICE AND TO PROHIBIT THE ACQUISITION OF MORE THAN THE ALLOWABLE MAXIMUM NUMBER OF TICKETS FOR RESALE, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 35600, which changes the title to read **S.B. 1407** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET, TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, AND TO IMPOSE A PRIVILEGE TAX ON THE INTERNET SALES OF TICKETS IN EXCESS OF THE PRINTED PRICE, is adopted and engrossed.

**S.B. 1697** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS AT TOLL FACILITIES OPERATED BY THE NORTH CAROLINA TURNPIKE AUTHORITY AND TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE TOLL ROAD COMPACT, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 55762, which changes the title to read **S.B. 1697** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, is adopted and engrossed.

**S.B. 1799** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 55773, which changes the title to read **S.B. 1799** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE;

July 2, 2008

TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE, is adopted and engrossed.

#### ADDITIONAL SPONSORS

Senator Atwater requests to be added as a sponsor of previously introduced legislation:

**S.B. 1988**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO BURN A CROSS OR HANG A NOOSE FOR THE INTENT OF INTIMIDATING ANOTHER PERSON BECAUSE OF RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN AND TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.

Senator Smith requests to be added as a sponsor of previously introduced legislation:

**S.J.R. 2165**, A JOINT RESOLUTION COMMEMORATING THE FIFTIETH ANNIVERSARY OF PUBLIC SCHOOL INTEGRATION IN NORTH CAROLINA.

Upon motion of Senator Dannelly, seconded by Senator Malone, the Senate adjourns subject to receipt of committee reports, messages from the House of Representatives, conference reports, and introduction of bills to meet Thursday, July 3, at 11:00 A.M.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Berger of Franklin; Albertson, Apodaca, Atwater, Basnight, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein:

**S.J.R. 2168**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES DAVIS "JIM" SPEED, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Placed on the Calendar for Thursday, July 3.

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By Senator Snow:

**S.J.R. 2169**, A JOINT RESOLUTION TO HONOR AND CONGRATULATE THE BOARD OF DIRECTORS, EMPLOYEES, RETIREES, AND SUPPORTERS OF THE TENNESSEE VALLEY AUTHORITY UPON ITS SEVENTY-FIFTH ANNIVERSARY.

Referred to the **Rules and Operations of the Senate Committee**.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 2, 2008

Madame President:

It is ordered that message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 1366**, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 2, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 887**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, and request conferees.

Speaker Hackney has appointed:  
Representative Wiley, Chair  
Representative Underhill  
Representative Langdon, and  
Representative Ross

July 2, 2008

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 2, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 545**, A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS, and requests conferees.

July 2, 2008



Speaker Hackney has appointed:  
Representative Ross, Chair  
Representative Owens, and  
Representative Stam

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 1860** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, for concurrence in the House Committee Substitute bill.

Referred to the **Judiciary II Committee**.

**H.B. 1700** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTICE TO THE NORTH CAROLINA HOUSING FINANCE AGENCY OF A CONVERSION OF A MANUFACTURED HOME COMMUNITY AND TO PROVIDE A TAX DEDUCTION FOR THE SALE OF A MANUFACTURED HOME COMMUNITY TO MANUFACTURED HOMEOWNERS.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**H.B. 2655** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CAP THE HIGHWAY USE TAX ON EMERGENCY MEDICAL SERVICE VEHICLES OWNED BY UNITS OF LOCAL GOVERNMENT OR NONPROFIT HOSPITALS AND EMERGENCY MEDICAL VEHICLES OWNED BY A NONPROFIT ENTITY THAT CONTRACTS WITH A UNIT OF LOCAL GOVERNMENT TO PROVIDE EMERGENCY MEDICAL SERVICES.

Referred to the **Finance Committee**.

**H.B. 2779**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY.

Referred to the **State & Local Government Committee**.

July 2, 2008

**S.B. 488** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Thursday, July 3, for concurrence.

**H.B. 2093** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF LOWELL AND MANTEO TO THE LIST OF CITIES WHERE MUNICIPAL EMPLOYEES MAY USE ALL-TERRAIN VEHICLES ON HIGHWAYS WITH POSTED SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS.

Referred to the **State & Local Government Committee**.

**H.B. 2414** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE.

Referred to the **Finance Committee**.

**H.B. 2541**, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE SOLID WASTE DISPOSAL TAX IMPOSED BY ARTICLE 5G OF SUBCHAPTER I OF CHAPTER 105 OF THE GENERAL STATUTES, AS ENACTED BY S.L. 2007-550 AND AMENDED BY S.L. 2007-543, FROM 1 JULY 2008 TO 1 JANUARY 2009, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Finance Committee**.

**H.B. 2570** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MOVEMENT OF TRAILER FRAMES NOT EXCEEDING FOURTEEN FEET IN WIDTH TO ANOTHER LOCATION NO FARTHER THAN THREE MILES AWAY FROM THE POINT OF ORIGIN FOR CONTINUED MANUFACTURING OF THE TRANSFER TRAILER WITH AN ANNUAL PERMIT.

Referred to the **Finance Committee**.

**H.B. 2768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM.

Referred to the **Finance Committee**.

July 2, 2008

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 7:47 P.M.

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### ONE HUNDRED FORTY-FOURTH DAY

Senate Chamber  
Thursday, July 3, 2008

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

Prayer is offered by The Reverend Dr. Robert Sawyer, Church of the Good Shepherd, Raleigh, North Carolina as follows:

"Eternal Father, we give you thanks for this beautiful day and lift up to you the men and women of the Senate of our beloved State. To those upon whom the mantle of leadership has been entrusted, we ask your guidance and blessing during the business of this day. As we prepare to celebrate the 232nd anniversary of the signing of the Declaration of Independence we remember those brave men who, at the risk of property and life, willingly signed that magnificent document of freedom. We specially remember the signers from North Carolina, Joseph Hewes, William Hooper, and John Penn. I give personal thanks that two of these outstanding men were Episcopalians. We remember also our brothers and sisters in the armed forces of our Country, many of whom are stationed here in North Carolina, and give thanks for their willingness to go into harms way to defend the freedoms that we hold so dear. And finally Father, we ask, in the words of one of the great hymns of faith, that you 'Refresh thy people on their toilsome way, lead us from night to never ending day; fill all our lives with love and grace divine, and glory, laud, and praise be ever thine.' This we ask in your Holy Name. Amen."

The Chair grants leaves of absence for today to Senator Basnight, Senator Boseman, Senator Garrou and Senator Kinnaird.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, July 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Charles Mann from Cary, North Carolina, who is serving the Senate as Doctor of the Day, and to Celest Long from Lillington, North Carolina, who is serving the Senate as Nurse of the Day.*

July 3, 2008

**PLEDGE OF ALLEGIANCE**

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

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 236**, AN ACT TO AMEND THE PROFESSIONAL HOUSEMOVING STATUTES CONTAINED IN ARTICLE 16 OF CHAPTER 20 OF THE GENERAL STATUTES.

**H.B. 12**, AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION.

**H.B. 44**, AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

**H.B. 2524**, AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM THE PROVISIONS OF THE COMMERCIAL FEED ACT.

**H.B. 2748**, AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT.

July 3, 2008

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

**S.B. 1895**, AN ACT AUTHORIZING JOHNSTON COUNTY TO RENOVATE THE COURTHOUSE WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

**S.B. 2126**, AN ACT RELATING TO ZONING ORDINANCE VIOLATIONS IN THE CITY OF WINSTON-SALEM.

**S.B. 2131**, AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY.

**H.B. 2092**, AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO CHANGE THE NAME OF THE TOWN'S FIRE DEPARTMENT.

**H.B. 2123**, AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY.

**H.B. 2218**, AN ACT TO MODIFY THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF AHOSKIE AND TO AMEND THE MEMBERSHIP OF THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY.

**H.B. 2347**, AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

**H.B. 2402**, AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE.

**H.B. 2444**, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS.

**H.B. 2451**, AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR VOLUNTEER FIREMEN IN THE TOWN OF ELKIN AND TO REPEAL THE PROVISIONS PROVIDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF BURLINGTON.

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**H.B. 2464**, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY.

**H.B. 2575**, AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION.

**H.B. 2614**, AN ACT TO AUTHORIZE THE TOWN OF STOVALL TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES.

**H.B. 2726**, AN ACT TO REPEAL AN OBSOLETE AND UNENFORCEABLE PROVISION OF THE POLKVILLE TOWN CHARTER.

**H.B. 2763**, AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY FROM SIX TO EIGHT MEMBERS.

**H.B. 2770**, AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITIES OF WINSTON-SALEM AND ASHEBORO FOR CONSTRUCTION OR REPAIR PROJECTS.

**H.J.R. 2796**, A JOINT RESOLUTION RECOGNIZING THE ONE HUNDREDTH ANNIVERSARY OF "EVERYBODY'S DAY," THE OLDEST FESTIVAL IN NORTH CAROLINA. (Res. 22)

**H.J.R. 2798**, A JOINT RESOLUTION HONORING THE MEMORY OF THE CREW OF THE B-24J LIBERATOR WHO WAS LOST DURING WORLD WAR II, AND EXPRESSING GRATITUDE TO CLAYTON KUHLES FOR HIS DISCOVERY OF THE PLANE, NICKNAMED "HOT AS HELL," IN 2006. (Res. 23)

**H.J.R. 2774**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANK WARNER CAPRA, JR., FOR HIS CONTRIBUTIONS TO THE DEVELOPMENT OF THE FILM INDUSTRY IN NORTH CAROLINA. (Res. 24)

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator East for the **State & Local Government Committee**:

**H.B. 2563**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS, with a favorable report.

July 3, 2008

**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2271** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE "QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**H.B. 2278**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2752** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY, upon third reading.

Senator Atwater offers Amendment No. 1 which is adopted (45-0).

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin,

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Jenkins, Jones, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--45.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives by special message for concurrence in Senate Amendment No. 1.

**S.B. 2134** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE CABARRUS COUNTY BOARD OF COMMISSIONERS FROM FIVE TO SEVEN MEMBERS.

Senator Hartsell offers Amendment No. 1 which is adopted (45-0).

*Upon the appearance of Senator Basnight in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

The Committee Substitute bill, as amended, passes its second (46-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 2343** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2468** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT IREDELL COUNTY AND THE TOWN OF MOORESVILLE FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2738** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 488** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, for concurrence in the House Committee Substitute bill No. 2.

July 3, 2008



Upon motion of Senator Graham, the Senate fails to concur in the House Committee Substitute bill No. 2 (0-46).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1971** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITIES OF ROCKY MOUNT AND WILSON TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled.

**S.B. 212** (Conference Report), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, for adoption.

Upon motion of Senator Rand, the Conference Report is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 8.

*The Chair grants a leave of absence for the remainder of today's session to Senator Basnight.*

**S.B. 1407** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET, TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, AND TO IMPOSE A PRIVILEGE TAX ON THE INTERNET SALES OF TICKETS IN EXCESS OF THE PRINTED PRICE, upon second reading.

*Without objection, Senator Brunstetter requests to be excused from voting on the Committee Substitute bill No. 2 due to a conflict of interest.*

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The Committee Substitute bill No. 2 remains on the Calendar for Monday, July 7, upon third reading.

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND

STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Upon motion of Senator Rand, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 8.

**S.B. 1697** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, upon second reading.

Senator Jenkins offers Amendment No. 1 which is adopted (45-0).

The Committee Substitute bill No. 2, as amended, passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The Committee Substitute bill No. 2, as amended, remains on the Calendar for Monday, July 7, upon third reading.

**H.B. 2463** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT, upon second reading.

Senator Nesbitt offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, remains on the Calendar for Monday, July 7, upon third reading.

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**S.B. 1799** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE.

The Committee Substitute bill No. 2 passes its second (46-0) and third readings and is ordered sent to the House of Representatives by special message.

**S.J.R. 2168**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES DAVIS "JIM" SPEED, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Senator Berger of Franklin offers Amendment No. 1 which is adopted (45-0).

Upon motion of Senator Berger of Franklin, the joint resolution is read in its entirety and, upon motion of Senator Forrester, the remarks of the members are spread upon the Journal, as follows:

**Senator Berger of Franklin:**

“You know, it’s times like these when we think about what our forefathers envisioned when they set up the citizen legislature and many of us are anxious to get back home and do whatever business we have to do. Our forefathers, in setting up the system we are under, envisioned a legislature of folks that would work. We come down here, do the people’s business and that, for most of them, it was to go back and tend to their farms. As you know, many of the original members of this Body and the House were farmers, either they were small farmers or they were planters. Well, Senator Jim Speed was part of that tradition. He was one of the last remaining folks who probably has served in this Body who, when he packed his bags to go back home after doing the State’s business, would go back and tend to a farm. He was a very strong advocate for the farming community and you can see that in this resolution with the awards that he won and his passion for the farming community did not end after he left this Body. One of my fellow Senators mentioned that one of his last memories of Senator Speed was sitting atop a tractor leading a protest in my community as there was an attempt to locate a waste site in the rural part in which he lived and to the very end he was a fighter. I was honored that in the final week of his life he called me up, just out of the blue called me up, and told me, gave me praise for the job I was doing, so it has been big shoes to fill in serving the citizens of Franklin County but for those of you that served with Senator Speed you know to honor Senator Speed is to also honor his wife, Martha Speed. They were a team. She’s still alive but could not be here for health reasons but I know that this means very much to her that we are doing this. He was unique in his uncanny ability to reach across the aisle. I’ve had a number of Republican

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members come up to me and speak very fondly of his willingness to be a maverick. There was a time or two in which he thought we Democrats were spending a little bit too much on the budget and he'd actually vote against the budget. He was a man of principle and he represented those values of hard work and that the role of government was to help the truly needy. We're very proud of him in my community. I would be remiss if I did not tell you that one way you can honor Senator Speed is to continue to work to include in our budget money for children to be able to attend private colleges. As you know, Senator Speed was a strong supporter of Louisburg College which remains the last two-year college in the State of North Carolina. I commend this resolution to you."

**Senator Swindell:**

"Members, ladies and gentlemen of the Senate, many of you here did not know Jim Speed and one thing that I have often said, and I say it daily to someone, and that is that we need to look at the past. We need to remember those who have come here before us. I used to represent Franklin County but I don't stand because of that. I stand because of the man, Jim Speed, who not only raised three wonderful children and I believe one or more are sitting in the gallery. I can't see up there today, but let me say this, Mark Speed, Tom and Claudia, were all dear friends of mine, as well as their mother. He raised children in a way that they respected their community and they did good for people around them. I mean this from the bottom of my heart, there are few people like Jim Speed. On that farm that he lived on my dear friend, Mark, lives there on the farm now and they lost their sister and Jim's daughter, Claudia, this year. Diane and I went to her funeral in Louisburg and it was so wonderful to see all the friends and the out-crying from the community. Martha was there but is not able to be here today. But I want you to know that Jim Speed was the man that was admired by all folks that I ever knew around Louisburg. He was a crusader for forestry in North Carolina and he was a crusader for the farmers. If you go back and look at the history, one thing Senator Berger told you, there were, I think, around 46 farmers in the State House in 1955. There were about 20 some in this Body, I believe, so there were a lot of farmers in this Body. I stayed in touch with the family daily and about three days before Jim Speed died, he took his son, Tom, in the pickup truck and rode around the farm and showed him the fences that needed mending and showed him what he needed to get done on the farm. I think that speaks so highly of someone. This was really one or two days before his death that he was in his pickup truck having his son drive him because he could not drive and showing him the gates and fences that needed mending. He lived a life in North Carolina of trying to mend the fences and fix the gates for our people. Thank you."

**Senator Albertson:**

"Madame President and members of the Senate, what has already been said is so very true. Jim Speed was indeed a wonderful person in every way. His wife, Martha, and all the family I think are great. He was indeed a great Ag and Forestry supporter and he and I had a good relationship talking about

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Agriculture and all that it involved. I think, as well as anyone I've ever known, he understood the value and importance of the land and what it meant to all of us and he was also a good steward of the environment. Again, he understood as well as anyone I think I've ever met how it all goes together to work together for the good. I also remember that Jim loved good humor. I think the last day he was here, that he served in this Body, Senator Basnight asked him to tell that story about the Hoover cart. I won't do that but it was a great one and, of course, we always enjoyed his humor. When I think of people who have made our Country the great place that it is, Jim Speed is one of those people who comes to my mind. He had a great love for our Country. He was a hard worker and when he set out on a task he was determined to see it through and he stayed with it until he finished it. There is no doubt in my mind that our State is indeed a better place because of this man and I commend this resolution to you."

**Senator Goss:**

"Madame President and fellow Senators, I did not know Senator Speed but we know his legacy in the County of Watauga. I count among my friends his son, Tom. He and I became friends a couple of years ago and I see these same traits that you talked about, Senator Berger, Senator Swindell, and Senator Albertson and it's a joy to hear you who have known his father talk about the very same things that the son has brought to us in the mountains of North Carolina. I, too, want to commend this resolution and thank you for sharing this resolution with us."

**Senator Allran:**

"I rise to speak on behalf of the resolution for Senator Speed and am proud to do so. This gentleman really was a very, very special man, a Southern gentleman, and I would say sort of like the last of a vanishing breed here, really. The way Senator Berger spoke of him is so true. I guess he was sort of like an old timey rural aristocrat-type farmer, just a fine gentleman who always had a warm smile and a firm handshake and was kind to everybody. One thing that I remember so well was when each of my two children was born, he sent baby presents, not that anybody would normally do that, but I think that was so special that he would do something that kind. I just have kept an obituary of Senator Speed. I don't know why I've kept it but it was in the drawer of my desk and it's a long, really good, obituary. There are two little things I want to take out of it that I want to mention to you. It said 'Speed loved people and reached out to them and in turn they embraced and respected him.' Another one said 'He was intelligent and compassionate, he was straightforward and honest.' That's so very true. Mark is here today and I always enjoyed my friendship with Mark when he was on the Sergeant-at-Arms staff. Jimmy Hight, who was also on the Sergeant-at-Arms staff, is here, also, which is really nice. I guess that I don't have too many other things to say about him except that Senator Goss, I just wanted you to know that for those of us who did know the father, it was a great privilege and you just couldn't run across a finer human being and a great credit to the legislature."

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**Senator Dannelly:**

“Ladies and gentlemen of the Senate, when I came here in 1994 several members reached their hands out to me and Jim Speed was one of them. We served on several committees together and Jim was always a gentleman to everyone. He showed up at committee meetings on time and participated. I remember some of us went to Louisburg because some of the citizens honored Jim and we had a meal at, it may have been Louisburg College, and it was wonderful to see how the people cared about Jim Speed. I’ve always respected and honored him because through our relationship, I can truly say that he was one man in his day and time that judged me by the content of my character rather than the color of my skin and I really, really appreciated that in him. He was truly a pure person. I certainly would ask you to support this resolution. Thank you.”

**Senator Rand:**

“Ladies and gentlemen of the Senate, Jim Speed really was a great son of North Carolina. He was deeply rooted in its soil and he loved North Carolina and everything that it stood for. He saw the humor in things in everyday life and had some of the greatest stories I ever heard. He was a great addition to everything we did and served North Carolina long and well and had a wonderful family. His family meant a great deal to him and meant a great deal to everything that was done in his part of the world. And so we owe them a great deal of gratitude for allowing him to be a part of what we did and for their contributions to North Carolina. Thank you, Madame President.”

**Senator McKissick:**

“I, too, knew Senator Speed. I haven’t always lived in Durham County. For quite sometime I lived up in Warren County and Senator Speed was our representative up in that area. I served as President of Young Democrats, Chairman of the Democratic Party there and one thing I can say is that Jim Speed was always accessible. He was always sensitive and he was always compassionate. There wasn’t a single event that was ever scheduled that he did not attend. He was warmly regarded by all those that knew him and Warren County had a population that was approximately 68% African-American, primarily rural. I think we had a population at that time of about 18,000 people but Senator Speed understood the roots of that community. He understood the roots of that County in its entirety. It wasn’t unusual to see him out on Sunday afternoons attending various events. It wasn’t unusual for the farmers there to come and gather and share with him their needs and their concerns as well as all those that were involved in business and in commerce. He’s someone who certainly represented his district well, someone who contributed substantially to North Carolina and his wife, too, served by him. At that point in time, Warren County was part of the 2nd Congressional District and Miss Martha, as we all called her, was the Chairperson of the 2nd Congressional District and represented in that capacity for many, many years and was a pioneer as a female in that regard in this State. We thank their family for allowing them the opportunity to serve us all.”

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The joint resolution, as amended, passes its second reading (45-0) and third reading with members standing and is ordered engrossed and sent to the House of Representatives unengrossed by special message.

Upon motion of Senator Berger of Franklin the President extends the courtesies of the gallery to Mark Speed, son, and Jimmy Hight, nephew.

**H.B. 93** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY ISSUES RELATING TO INDIVIDUALS BEING TRANSPORTED IN VEHICLES WHILE SEATED IN WHEELCHAIRS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The Senate Committee Substitute bill passes its second (46-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2338**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with a favorable report.

*The Chair grants leaves of absence for the remainder of today's session to Senator Albertson and Senator Dannelly.*

### CALENDAR *(continued)*

**H.B. 133** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE USE OF ALL-TERRAIN VEHICLES FOR BEACH DRIVING FROM THE REQUIREMENTS OF ALL-TERRAIN VEHICLE REGULATION.

The Committee Substitute bill passes its second (43-0) and third readings and is ordered enrolled and sent to the Governor by special message.

*The Chair grants a leave of absence for the remainder of today's session to Senator Rand.*

**H.B. 2306** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DETERMINE

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RESPONSIBILITY FOR CHILDREN WITH DISABILITIES PLACED IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES BY PUBLIC AGENCIES OTHER THAN LOCAL EDUCATIONAL AGENCIES.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2341** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The Senate Committee Substitute bill passes its second (42-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2360** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The Committee Substitute bill passes its second (42-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 2364**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.

The bill passes its second (42-0) and third readings and is ordered enrolled and sent to the Governor by special message.

*Upon the appearance of Senator Rand in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

**H.B. 2523** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

The Committee Substitute bill passes its second (43-0) and third readings and is ordered enrolled and sent to the Governor by special message.

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee:**

**H.B. 2167** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, with an unfavorable report as to Committee Substitute bill No. 3, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10488, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee.**

**PERSONAL PRIVILEGE**

Upon motion of Senator Atwater, the remarks of Senator Berger of Rockingham about Independence Day are spread upon the journal, as follows:

**Senator Berger of Rockingham:**

“Members of the Senate, you know we’re on the eve of the Fourth of July and traditionally we’ve had someone make some comments and Senator Basnight was kind enough to ask me if I would do that today. We all miss and continue to miss Senator Horton and the comments that he could make, and I don’t think anybody could take his place, but certainly I think it’s important for us to remember the importance of tomorrow and for that reason I’d like to say a few things. You know, we had the pledge at the very beginning of the session and that’s also a tradition here in the Senate but it’s one thing to be here and to talk about what we do today, but it’s something else for us to remember back 232 years ago, that summer of 1776 when a small group of citizens from the English Colonies got together in Philadelphia, many of them, Senator Swindell, Senator Berger, were farmers, some lawyers, and some of other professions. I’m sorry, Senator Rucho, I don’t think there were any dentists there! But, they were free citizens coming together and ultimately agreeing on a principle that free people can govern themselves. They didn’t need a king, they didn’t need a strong central government. Today, on the eve of the anniversary of that public declaration we are reminded of those days. We’re also reminded of the struggles, the sacrifices and the successes of the experiment that continues to this very day. One of the things that is very ironic about the Fourth of July is on the 50th Anniversary of the Declaration of Independence in 1826, the Nation was about to celebrate that 50th Anniversary and it was very important for the

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two remaining signers of the Declaration to attend and so invitations were issued to John Adams and to Thomas Jefferson. Neither of them could come because they were both old and they both declined the invitation. The irony is that they both died that very day, on the 50th Anniversary of the Declaration. But Jefferson, even though he couldn't attend, did send to the National Committee a statement where he made some comments about the Declaration of Independence and I think these words are very appropriate today, and what he said in his letter was in referencing the Declaration of Independence: 'May it be to the world what I believe it will be, the signal of arousing men to burst the chains and to assume the blessings and security of self-government. That form which we have submitted restores the free right of the unbounded exercise of reason and freedom of opinion. All eyes are opening to the rights of man. For ourselves, let the annual return of this day forever refresh our recollections of these rights and an undiminished devotion to them.' Now, of course, during the period of time since Jefferson penned those words there have been further struggles, further problems, further issues that we've dealt with and at that time it was still not a reality – freedom – for all of our citizens and it was not until almost 40 years later when Abraham Lincoln, in the Gettysburg Address, talked about this new Nation conceived in liberty and dedicated to the proposition that all men are created equal. He went on to say in the concluding remarks of that address that this Nation, under God, shall have a new birth of freedom and that government of the people, by the people and for the people shall not perish from the earth. From then until today, we have struggled to live up to those principles and in many ways we've fallen short. In many ways, we disagree on details but as we go forward to picnics, parades, time with our families and as we celebrate we can all agree that we should continue to strive to fulfill the promise of that summer day in 1776. I hope everybody enjoys their weekend."

Upon motion of Senator Soles, seconded by all members of the Senate, the Senate adjourns subject to receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Monday, July 7, at 7:00 P.M.

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 2265** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT BUSES FROM SAFETY INSPECTIONS REQUIRED UNDER MOTOR VEHICLE LAWS IF THEY ARE TITLED TO A LOCAL BOARD OF EDUCATION AND SUBJECT TO SCHOOL BUS INSPECTION REQUIREMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

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**H.B. 2314** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**H.B. 2367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MUNICIPAL ANNEXATION.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS, AND PERTAINING TO THE NORTH CAROLINA HEALTH CHOICE PROGRAM.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1113**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CIVIL ACTIONS UNDER THE STATE TORT CLAIMS ACT TO THOSE CLAIMS IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF LAW ENFORCEMENT TO PROTECT CLAIMANTS FROM THE MISCONDUCT OF OTHERS, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51043, which changes the title upon concurrence to read **H.B. 1113** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CLAIMS UNDER THE STATE TORT CLAIMS ACT IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF CERTAIN PARTIES TO PROTECT CLAIMANTS FROM THE ACTION OF OTHERS, is adopted and engrossed.

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**H.B. 2188** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70797, is adopted and engrossed.

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 1134** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION.

July 3, 2008

Referred to the **Judiciary II Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 2720** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION AND THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE ONLY NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**H.B. 2784** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING INVESTMENTS OF THE CITY OF FAYETTEVILLE AND THE PUBLIC WORKS COMMISSION OF FAYETTEVILLE.

Referred to the **State & Local Government Committee**.

### CONFERENCE REPORT

Senator Garrou, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 2436** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 2436, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, Senate Finance Committee Substitute Adopted 6/17/08 Seventh Edition Engrossed 6/19/08, submit the following report:

The House concurs in the Senate Finance Committee Substitute Adopted 6/17/08, Seventh Edition Engrossed 6/19/08, with an amendment:

Delete the entire Senate Finance Committee Substitute Adopted 6/17/08, Seventh Edition Engrossed 6/19/08, and substitute the attached Proposed Conference Committee Substitute H2436-PCCS30735-LRxf-6.

The Senate agrees to the same.

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

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

July 3, 2008

Date Conferees approved report: July 3, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/Linda Garrou, Co-Chair	S/Henry M. Michaux, Jr., Co-Chair
S/Charles W. Albertson, Co-Chair	S/Alma Adams, Co-Chair
S/Charlie Smith Dannelly, Co-Chair	S/Martha B. Alexander, Co-Chair
S/Bob Atwater	S/James W. Crawford, Jr., Co-Chair
S/Doug Berger	S/R. Phillip Haire, Co-Chair
S/Stam Bingham	S/Maggie Jeffus, Co-Chair
S/Julia Boseman	S/Joe P. Tolson, Co-Chair
Daniel G. Clodfelter	S/Douglas Y. Yongue, Co-Chair
S/Janet Cowell	S/Hugh Holliman, Co-Chair
S/Walter H. Dalton	S/Bill Owens, Co-Chair
S/Katie G. Dorsett	S/Lucy T. Allen
S/Tony Foriest	S/Jeff Barnhart
S/Steve Goss	S/Larry M. Bell
S/Malcolm Graham	S/Dan Blue
S/Kay R. Hagan	S/Alice L. Bordsen
S/Fletcher L. Hartsell, Jr.	R. Van Braxton
S/David W. Hoyle	William D. Brisson
S/Clark Jenkins	S/Angela R. Bryant
S/Ed Jones	S/Becky Carney
S/John H. Kerr III	S/Walter G. Church, Sr.
S/Eleanor Kinnaird	S/Lorene Coates
S/Vernon Malone	S/Nelson Cole
S/Floyd B. McKissick, Jr.	Linda Coleman
S/Martin L. Nesbitt, Jr.	Tricia Ann Cotham
S/William R. Purcell	William A. Current, Sr.
S/Joe Sam Queen	Margaret Highsmith Dickson
S/Tony Rand	S/Jerry C. Dockham
S/Larry Shaw	S/Beverly M. Earle
S/John Snow	S/Bob England, M.D.
S/R. C. Soles, Jr.	Bill Faison
S/Richard Stevens	S/Jean Farmer-Butterfield
S/A. B. Swindell	S/Susan C. Fisher
S/David F. Weinstein	S/Pryor Gibson
	S/Rick Glazier
	S/Bruce Goforth
	S/Melanie Wade Goodwin
	W. Robert Grady
	S/Larry D. Hall
	S/Jim Harrell, III
	S/Ty Harrell
	S/Pricey Harrison
	S/Dewey L. Hill

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Julia C. Howard  
S/Verla Insko  
Linda P. Johnson  
S/Earl Jones  
Carolyn H. Justice  
Joe L. Kiser  
S/James H. Langdon, Jr.  
S/Jimmy L. Love, Sr.  
S/Marvin W. Lucas  
S/Paul Luebke  
S/Grier Martin  
S/Mary E. McAllister  
Daniel F. McComas  
Wm. C. "Bill" McGee  
S/Marian N. McLawhorn  
S/Annie W. Mobley  
Wil Neumann  
S/Earline W. Parmon  
S/Garland E. Pierce  
S/Ray Rapp  
Karen B. Ray  
S/Deborah K. Ross  
Drew Saunders  
S/Mitchell S. Setzer  
S/Timothy L. Spear  
Fred F. Steen, II  
S/Ronnie Sutton  
S/Cullie M. Tarleton  
S/Charles C. Thomas  
Russell E. Tucker  
S/Alice Graham Underhill  
S/William L. Wainwright  
R. Tracy Walker  
Ray Warren  
S/Edith D. Warren  
S/Jennifer Weiss  
Laura I. Wiley  
S/W. A. (Winkie) Wilkins  
Arthur Williams  
S/Larry Womble  
S/Michael H. Wray

(The full text of the Conference Committee Substitute can be found in the 2008 Session Laws-Chapter 107).

The Conference Report, which changes the title, is placed on the Calendar for Monday, July 7, for adoption second reading.

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Pursuant to Senator Soles' motion to adjourn having prevailed, the Senate adjourns at 11:57 P.M.

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### ONE HUNDRED FORTY-FIFTH DAY

Senate Chamber  
Monday, July 7, 2008

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

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

"Dear Lord, this past July 4 holiday weekend, you blessed our State with much needed, plentiful rain in some areas. Washed out firework displays eventually lit up the nighttime skies for gathered crowds with rockets red glare. Our people revisited defining moments of liberty and freedom sometimes prompted by speeches offered by the men and women of this Senate. But also, sadly, flags are flying at half mast today because our State lost a political icon in the death of Jesse Helms. We pray for Mrs. Helms and the family during this most difficult time. Now in the week before us we ask that you provide direction and completion of those tasks still to be considered by this Body before adjournment. In your holy name we pray. Amen."

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, July 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Conrad Flick from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Nanst Greger-Holt from Pittsboro, North Carolina, who is serving the Senate as Nurse of the Day.*

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2563**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS.

The bill passes its second (49-0) and third readings and is ordered enrolled.

July 7, 2008



**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Rand for the **Select Committee on Government and Election Reform**:

**S.B. 1652**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15316, which changes the title to read **S.B. 1652** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS, is adopted and engrossed.

**S.B. 1875**, A BILL TO BE ENTITLED AN ACT TO CLARIFY JURISDICTION UNDER THE STATE GOVERNMENT ETHICS ACT WITH REGARDS TO OFFICE OF THE STATE AUDITOR AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65399, which changes the title to read **S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, is adopted and engrossed.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 1549**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ENCUMBERED PROPERTY IS SUBJECT TO EXECUTION UNDER ARTICLE 28 OF CHAPTER 1 OF THE GENERAL STATUTES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51044, which changes the title upon concurrence to read **H.B. 1549** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS OF APPOINTMENTS TO THE NORTH CAROLINA AUCTIONEERS COMMISSION, is adopted and engrossed.

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**CALENDAR** *(continued)*

**S.B. 1407** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET, TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, AND TO IMPOSE A PRIVILEGE TAX ON THE INTERNET SALES OF TICKETS IN EXCESS OF THE PRINTED PRICE, upon third reading.

Senator Hartsell offers Amendment No. 1 which is adopted (49-0).

The Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: None.

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives by special message.

**ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 133**, AN ACT TO EXEMPT THE USE OF ALL-TERRAIN VEHICLES FOR BEACH DRIVING FROM THE REQUIREMENTS OF ALL-TERRAIN VEHICLE REGULATION.

**H.B. 2360**, AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

**H.B. 2364**, AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.

**H.B. 2523**, AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

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

**S.B. 1590**, AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK.

**S.B. 1970**, AN ACT TO ALLOW THE CITY OF WILSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE CITY'S HISTORIC DISTRICT.

**S.B. 1971**, AN ACT TO ALLOW THE CITIES OF ROCKY MOUNT AND WILSON TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS.

**S.B. 2118**, AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY TO THE YMCA FOR A TERM OF MORE THAN TEN YEARS.

**S.B. 2137**, AN ACT TO PROVIDE THAT THE TOWN OF SUMMERFIELD SHALL FOLLOW THE GENERAL LAW FOR THE FILLING OF TOWN COUNCIL VACANCIES.

**H.B. 2271**, AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE "QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD.

**H.B. 2278**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER.

**S.J.R. 2168**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES DAVIS "JIM" SPEED, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 25)

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1895**, AN ACT AUTHORIZING JOHNSTON COUNTY TO RENOVATE THE COURTHOUSE WITHOUT COMPLYING WITH

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SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES. (Became law upon ratification, July 3, 2008 - S.L. 2008-40.)

**S.B. 2126**, AN ACT RELATING TO ZONING ORDINANCE VIOLATIONS IN THE CITY OF WINSTON-SALEM. (Became law upon ratification, July 3, 2008 - S.L. 2008-41.)

**S.B. 2131**, AN ACT TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT AUTHORITY, TO CHANGE THE NAME OF THE CRAVEN COUNTY REGIONAL AIRPORT, AND TO ADD NONVOTING MEMBERS TO THE AIRPORT AUTHORITY. (Became law upon ratification, July 3, 2008 - S.L. 2008-42.)

**H.B. 2092**, AN ACT AMENDING THE CHARTER OF THE TOWN OF KERNERSVILLE TO CHANGE THE NAME OF THE TOWN'S FIRE DEPARTMENT. (Became law upon ratification, July 3, 2008 - S.L. 2008-43.)

**H.B. 2123**, AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES AND COYOTES IN ALAMANCE COUNTY. (Became law upon ratification, July 3, 2008 - S.L. 2008-44.)

**H.B. 2218**, AN ACT TO MODIFY THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF AHOSKIE AND TO AMEND THE MEMBERSHIP OF THE GRANVILLE COUNTY TOURISM DEVELOPMENT AUTHORITY. (Became law upon ratification, July 3, 2008 - S.L. 2008-45.)

**H.B. 2347**, AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY. (Became law upon ratification, July 3, 2008 - S.L. 2008-46.)

**H.B. 2402**, AN ACT SUBSTITUTING THE WORD "NOTICE" FOR "COMPLAINT OR ORDER" IN THE LAW THAT AUTHORIZES THE CITY OF WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S GARBAGE AND TRASH ORDINANCE AND THE CITY'S OVERGROWN VEGETATION ORDINANCE. (Became law upon ratification, July 3, 2008 - S.L. 2008-47.)

**H.B. 2444**, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CLARIFY THE INITIATIVE, REFERENDUM, AND RECALL PETITION PROCESS. (Became law upon ratification, July 3, 2008 - S.L. 2008-48.)

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**H.B. 2451**, AN ACT TO AMEND THE SUPPLEMENTAL RETIREMENT FUND FOR VOLUNTEER FIREMEN IN THE TOWN OF ELKIN AND TO REPEAL THE PROVISIONS PROVIDING SUPPLEMENTAL RETIREMENT FUNDS FOR FIREMEN IN THE CITY OF BURLINGTON. (Became law upon ratification, July 3, 2008 - S.L. 2008-49.)

**H.B. 2464**, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY IN MARTIN COUNTY. (Became law upon ratification, July 3, 2008 - S.L. 2008-50.)

**H.B. 2575**, AN ACT TO AUTHORIZE THE TOWN OF FLETCHER TO ENTER INTO AN AGREEMENT FOR THE CONVEYANCE OF LAND TO THE TOWN IN LIEU OF ANNEXATION. (Became law upon ratification, July 3, 2008 - S.L. 2008-51.)

**H.B. 2614**, AN ACT TO AUTHORIZE THE TOWN OF STOVALL TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES. (Became law upon ratification, July 3, 2008 - S.L. 2008-52.)

**H.B. 2726**, AN ACT TO REPEAL AN OBSOLETE AND UNENFORCEABLE PROVISION OF THE POLKVILLE TOWN CHARTER. (Became law upon ratification, July 3, 2008 - S.L. 2008-53.)

**H.B. 2763**, AN ACT TO INCREASE THE MEMBERSHIP OF THE CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY FROM SIX TO EIGHT MEMBERS. (Became law upon ratification, July 3, 2008 - S.L. 2008-54.)

**H.B. 2770**, AN ACT INCREASING THE FORCE ACCOUNT LIMIT FOR THE CITIES OF WINSTON-SALEM AND ASHEBORO FOR CONSTRUCTION OR REPAIR PROJECTS. (Became law upon ratification, July 3, 2008 - S.L. 2008-55.)

**S.B. 1358**, AN ACT TO ADOPT A STRATEGIC APPROACH TO PREVENT YOUTH INVOLVEMENT IN STREET GANG ACTIVITY, AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG PREVENTION AND INTERVENTION ACT." (Became law upon approval of the Governor, July 6, 2008 - S.L. 2008-56.)

#### **CALENDAR** *(continued)*

**S.B. 1697** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO

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MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, upon third reading as amended on second reading.

Senator Jenkins offers Amendment No. 2 which is adopted (50-0).

The Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 49, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---49.

Voting in the negative: Senator Kinnaird---1.

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 2463** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT, upon third reading as amended on second reading.

Senator Nesbitt offers Amendment No. 2 which is adopted (50-0).

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---50.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**H.B. 1113** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CLAIMS UNDER THE STATE TORT CLAIMS ACT IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF CERTAIN PARTIES TO PROTECT CLAIMANTS FROM THE ACTION OF OTHERS.

Senator Clodfelter offers Amendment No. 1 which is adopted (50-0).

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The Senate Committee Substitute bill, as amended, passes its second (50-0) and third readings and is ordered engrossed and sent to the House of Representatives for concurrence.

**H.B. 2188** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT.

The Senate Committee Substitute bill passes its second reading (50-0).

Senator Brock objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Tuesday, July 8, upon third reading.

**H.B. 2338**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Senator Purcell offers Amendment No. 1 which is adopted (50-0).

The bill, as amended, passes its second (50-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence in Senate Amendment No. 1.

**H.B. 2436** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES, for adoption upon second reading.

Upon motion of Senator Garrou, the Conference Report is adopted on its second reading, by roll-call vote, ayes 34, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Graham, Hagan, Hartsell, Hoyle, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Snow, Soles, Stevens, Swindell and Weinstein---34.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rucho, Smith and Tillman---16.

The Conference Report remains on the Calendar for Tuesday, July 8, for adoption upon third reading.

July 7, 2008

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 545** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

Pursuant to the message from the House of Representatives received Wednesday, July 2, that the House fails to concur in the Senate Committee Substitute bill for H.B. 545 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hartsell, Chair; Senator Swindell; Senator Stevens; and Senator Jones as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**PERSONAL PRIVILEGE**

Upon motion of Senator Hunt, the remarks of Senator Goodall honoring former United States Senator Jesse Alexander Helms, Jr., are spread upon the journal, as follows:

**Senator Goodall:**

"On Independence Day, as Reverend Mike Morris mentioned to us, a Monroe native died and much has been written about the United States Senator in the last three days, the Senator from Union County, much of it good, some not so good. He had the unusual habit of saying what he thought whether it was popular or, as some would think, polarizing. Jesse Helms once said that

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Margaret Thatcher told him that standing in the middle of the road is very dangerous. You keep getting knocked down by traffic from both sides. But I'd like to reflect on the boy who swept floors for the Monroe newspaper when he was only nine, the boy who hung around the fire station where his father, whom he referred to as the real Jesse Helms, was fire chief, the boy who sometimes waked to his mother making breakfast for the homeless who Jesse, Sr. had rounded up and offered a place to sleep for the night, the boy who never, ever forgot his small-town roots. I think Jesse Helms' legacy will be his unwavering love and devotion to faith, family and freedom. It is befitting that his Independence Day came on July 4th. He was a champion of Democracy. His role fighting communism and dismantling the Iron Curtain and melting the Cold War made Democracy's chances across the globe more realizable. He was a champion of free enterprise. He thought, as I do, that a free marketplace is a natural and better determinant of what is better for the consumer, the employer and the employee than government regulations. He was a champion of the Constitution and state's rights. He relied upon Abraham Lincoln's theorem for claiming that the form of government which is best is that which is closest to the electorate. His moniker of 'Senator No' offered up several years ago by the News and Observer is a title he embraced rather than defended. As legislators, we in this room know it's easier to say yes to those either coming here or hiring lobbyists to get what they want. It's only human to please people. Saying no is more difficult. It requires discipline. I often feel that saying no is saying yes to the voiceless who are counting on us here in Raleigh and maybe we should practice saying it more. Senator Jesse Helms' funeral is tomorrow at 2:00 p.m. at Hayes Barton Baptist Church here in Raleigh and to his wife, Dot, his daughters, Jane Knox and Nancy Gregg, and to his son, Charles, I offer condolences from the people in Union County. May Senator No now enjoy the peace promised in the inscription he kept in his office for many years, words told to him by his father, 'Son, the Lord doesn't expect you to win, he just expects you to try.' And, Senator Helms, you don't have to try any more. Thank you."

#### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

Kaitlyn Archer, Holly Springs; Toy Beeninga, Summerfield; Suzie Choe, Fayetteville; Mary Grace Fraley, Cherryville; Sara Harling, Laurinburg; Kelsey Herbst, Cary; Allyx Herring, Fayetteville; Grant Holmes, Sanford; Jessie Holt, Raleigh; Haley Jones, Raleigh; Kristine Kapatos, Raleigh; Alexander Keith, Fayetteville; Jennie Kimel, Waynesville; Charlie Laughlin, Greensboro; Taylor Long, Cherryville; Graham Lucas, Raleigh; Sarah Miller, Rutherfordton; Katie Murray, Winston-Salem; Lacy Nance, Rutherfordton; Brian O'Bannon, Charlotte; Anderson Phillips, Belmont; Kara Reece, Fayetteville; Kareem Shaw, Riegelwood; Randi Simmons, Clarendon; Patrick Speight, Nashville; Caitlin Truelove, Raleigh; Lacey Webb, Rocky Mount; and Mary Catherine Worley, Tabor City.

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Upon motion of Senator Basnight, seconded by all members of the Senate, the Senate adjourns in memory of former United States Senator Jesse Alexander Helms, Jr., subject to receipt of conference reports, committee reports and messages from the House of Representatives, to meet Tuesday, July 8, at 12:00 Noon.

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**ONE HUNDRED FORTY-SIXTH DAY**

Senate Chamber  
Tuesday, July 8, 2008

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

Prayer is offered by The Reverend Carey Hardy, Twin City Baptist Church, Winston-Salem, North Carolina as follows:

"Our Father, we do come with hearts filled with reverence today. Reverence to you, the majestic and glorious God who has created all things. We come with hearts filled with gratitude as we think about the many blessings that we enjoy at your hand. We are thankful that you are a gracious God. A God who is always faithful and always just and always holy. Always ready to forgive, repentant sinners. Thank you most of all for the grace and mercy that is manifested in your son. We pray Lord that your blessing would be upon this session today. We ask specifically that you would give strength and wisdom and discernment to these public servants here today that men and women that the Bible calls your servants. I pray that you would guide them in all that they do and all that they discuss. We ask this in the name of our Savior. Amen."

The Chair grants leaves of absence for today to Senator Bingham and Senator Hoyle.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, July 7, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. T. Brent Chafin from Ahoskie, North Carolina, who is serving the Senate as Doctor of the Day, and to Karen Byrd from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.*

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**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1651**, AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO LOWER THE MINIMUM AGE FOR DONATING BLOOD FROM SEVENTEEN TO SIXTEEN.

**S.B. 1852**, AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT.

**S.B. 1955**, AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL.

**H.B. 93**, AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY ISSUES RELATING TO INDIVIDUALS BEING TRANSPORTED IN VEHICLES WHILE SEATED IN WHEELCHAIRS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**H.B. 738**, AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES.

**H.B. 821**, AN ACT TO SPECIFY THOSE AREAS OUTSIDE OF THE STATE OF NORTH CAROLINA IN WHICH NOTICES RELATED TO A PROPOSED INTERBASIN TRANSFER OF WATER SHALL BE GIVEN AND TO PROVIDE FOR A STUDY BY THE ENVIRONMENTAL REVIEW

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COMMISSION OF THE DELINEATION OF MAJOR RIVER BASINS AND SUBBASINS WITHIN THIS STATE AS A PART OF THE ONGOING STUDY OF THE ALLOCATION OF WATER RESOURCES BY THE COMMISSION.

**H.B. 1003**, AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR AND TO PROVIDE THAT A COURT MAY EXTEND OR MODIFY.

**H.B. 1076**, AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE.

**H.B. 1284**, AN ACT TO PROVIDE THAT A CAUSE OF ACTION AGAINST A LOCAL GOVERNMENT ARISING OUT OF A CONTRACT TO IMPROVE REAL PROPERTY OTHERWISE BARRED BY THE STATUTE OF LIMITATIONS MAY BE COMMENCED NO LATER THAN NINETY DAYS AFTER SUBSTANTIAL COMPLETION OF THE CONSTRUCTION.

**H.B. 2306**, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DETERMINE RESPONSIBILITY FOR CHILDREN WITH DISABILITIES PLACED IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES BY PUBLIC AGENCIES OTHER THAN LOCAL EDUCATIONAL AGENCIES.

**H.B. 2391**, AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

**H.B. 2487**, AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

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

**H.B. 2156**, AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX.

**H.B. 2255**, AN ACT TO INCLUDE EDGECOMBE, NASH, AND WILSON COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

**H.B. 2343**, AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES.

**H.B. 2468**, AN ACT TO EXEMPT IREDELL COUNTY AND THE TOWN OF MOORESVILLE FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS.

**H.B. 2563**, AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS.

**H.B. 2738**, AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE.

**H.B. 2752**, AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY.

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1590**, AN ACT TO AMEND THE CHARTER OF THE VILLAGE OF BALD HEAD ISLAND RELATING TO THE APPOINTMENT OF THE TOWN CLERK. (Became law upon ratification, July 7, 2008 - S.L. 2008-57.)

**S.B. 1970**, AN ACT TO ALLOW THE CITY OF WILSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE CITY'S HISTORIC DISTRICT. (Became law upon ratification, July 7, 2008 - S.L. 2008-58.)

**S.B. 1971**, AN ACT TO ALLOW THE CITIES OF ROCKY MOUNT AND WILSON TO DECLARE RESIDENTIAL AND NONRESIDENTIAL BUILDINGS IN COMMUNITY DEVELOPMENT TARGET AREAS

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UNSAFE AND TO HAVE THE OPTION OF REMOVING OR DEMOLISHING THOSE BUILDINGS. (Became law upon ratification, July 7, 2008 - S.L. 2008-59.)

**S.B. 2118**, AN ACT AUTHORIZING THE VILLAGE OF WESLEY CHAPEL TO LEASE CERTAIN DESCRIBED PROPERTY TO THE YMCA FOR A TERM OF MORE THAN TEN YEARS. (Became law upon ratification, July 7, 2008 - S.L. 2008-60.)

**S.B. 2137**, AN ACT TO PROVIDE THAT THE TOWN OF SUMMERFIELD SHALL FOLLOW THE GENERAL LAW FOR THE FILLING OF TOWN COUNCIL VACANCIES. (Became law upon ratification, July 7, 2008 - S.L. 2008-61.)

**H.B. 2271**, AN ACT TO REPEAL THE SUNSET ON THE LAW AUTHORIZING THE TOWN OF TROY AND THE TROY REDEVELOPMENT COMMISSION TO USE THE "QUICK TAKE" PROCEDURE WHEN ACQUIRING PROPERTY FOR THE SMITHERMAN VILLAGE NEIGHBORHOOD. (Became law upon ratification, July 7, 2008 - S.L. 2008-62.)

**H.B. 2278**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ANGIER. (Became law upon ratification, July 7, 2008 - S.L. 2008-63.)

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Garrou for the **Pensions & Retirement and Aging Committee**:

**S.B. 1661**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55768, is adopted and engrossed.

**H.B. 2728**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51045, which changes the title upon concurrence to read **H.B. 2728** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, AND CONCERNING COMPENSATION OF EMPLOYEES IN THE INVESTMENT DIVISION, is adopted and engrossed.

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

**H.B. 2414** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE, with a favorable report.

**H.B. 2580** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES, with a favorable report.

**H.B. 2768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM, with a favorable report.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 1652** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message.

**S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO

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CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES.

Senator Clodfelter offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second (39-9) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**S.B. 212** (Conference Report), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS.

Upon motion of Senator Rand, the Conference Report is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 9, for adoption.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 1770** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED AND TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS AND TO APPROPRIATE FUNDS FOR IMPLEMENTATION, re-referred to the **Appropriations/Base Budget Committee** on Thursday, June 5.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the Calendar for Wednesday, July 9, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Appropriations/Base Budget Committee** and places it on the Calendar for Wednesday, July 9.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1967**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE TO MANAGE STORMWATER IN COASTAL COUNTIES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15315, which changes the title to read **S.B. 1967** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF STORMWATER IN THE COASTAL COUNTIES IN ORDER TO PROTECT WATER QUALITY, is adopted and engrossed.

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**CALENDAR** *(continued)*

**H.B. 1549** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS OF APPOINTMENTS TO THE NORTH CAROLINA AUCTIONEERS COMMISSION.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2188** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT.

The Senate Committee Substitute bill passes its third reading (48-0) and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

Senator Rand offers Amendment No. 1 which is adopted (48-0), and changes the title upon concurrence to read **H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, AND TO AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

The bill, as amended, passes its third reading (48-0) and is ordered sent to the House of Representatives by special message for concurrence in Senate Amendment No. 1.

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**H.B. 2436** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES, for adoption upon third reading.

Senator Goodall announces a pair vote. If Senator Bingham were present, he would vote "aye"; Senator Goodall votes "no".

Senator Apodaca announces a pair vote. If Senator Hoyle were present, he would vote "aye"; Senator Apodaca votes "no".

The Senate adopts the conference report on its third reading, by roll-call vote, ayes 32, noes 14, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Boseman, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, Foriest, Garrou, Goss, Graham, Hagan, Hartsell, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Queen, Rand, Shaw, Snow, Soles, Stevens, Swindell and Weinstein---32.

Voting in the negative: Senators Allran, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, East, Forrester, Hunt, Jacumin, Preston, Rucho, Smith and Tillman---14.

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 2156**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CABARRUS COUNTY WITH A MECHANISM TO FINANCE LONG-TERM INFRASTRUCTURE NEEDS WITH ASSESSMENTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85490, which changes the title to read **S.B. 2156** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SPECIAL ASSESSMENTS IN CABARRUS, CUMBERLAND, HENDERSON, AND ROWAN COUNTIES, AND THE CITIES LOCATED IN WHOLE OR IN PART IN THOSE COUNTIES, TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS, is adopted and engrossed.

**H.B. 2313**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51047, which changes the title upon concurrence to read **H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM, is adopted and engrossed.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 7, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 15**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES, and requests conferees.

Speaker Hackney has appointed:

Representative Cotham, Chair  
Representative Glazier  
Representative Wiley  
Representative Jeffus, and  
Representative Johnson

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 8, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 7, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute No. 2 for **H.B. 933**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, and requests conferees.

Speaker Hackney has appointed:

Representative Glazier, Chair  
Representative Blue  
Representative Howard  
Representative Moore, and  
Representative Love

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 8, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 7, 2008

Madame President:

On Wednesday, July 2, 2008, the House of Representatives sent a message informing the Senate that the House failed to concur in the Senate Committee Substitute for **H.B. 1366**, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Speaker Hackney has appointed:

Representative Glazier, Chair  
Representative Cotham  
Representative Bryant  
Representative Wilkins  
Representative Allred  
Representative Ray, and  
Representative Fisher

to serve as conferees on the part of the House and requests conferees on the part of the Senate to confer to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 7, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 2341**, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY

July 8, 2008

FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, and requests conferees.

Speaker Hackney has appointed:

Representative Weiss, Chair  
Representative Blue  
Representative Ray  
Representative Martin, and  
Representative Neumann

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 15** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

Pursuant to the message from the House of Representatives received Monday, July 7, that the House fails to concur in the Senate Committee Substitute bill for H.B. 15 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Swindell, Chair; Senator Nesbitt; Senator Garrou; and Senator Tillman as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 933** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE

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PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS.

Pursuant to the message from the House of Representatives received Monday, July 7, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 933 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Rand, Chair; Senator Hoyle; Senator Dalton; Senator Hartsell; and Senator Boseman as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 2341** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Pursuant to the message from the House of Representatives received Monday, July 7, that the House fails to concur in the Senate Committee Substitute bill for H.B. 2341 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Purcell, Chair; Senator Dorsett; Senator Soles; Senator Dannelly; Senator Jenkins and Senator Stevens as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

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**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1366** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Pursuant to the message from the House of Representatives received Monday, July 7, that the House fails to concur in the Senate Committee Substitute bill for H.B. 1366 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Berger of Franklin, Chair; Senator Albertson; Senator Purcell; Senator Dalton; Senator Bingham; Senator Dannelly; and Senator Cowell as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 887** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING.

Pursuant to the message from the House of Representatives received Monday, July 7, that the House fails to concur in the Senate Committee Substitute bill for H.B. 887 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Nesbitt, Chair; Senator Tillman; Senator Boseman; and Senator Kinnaird as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 488** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill No. 2 for S.B. 488 on Thursday, July 3, and the motion to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Kinnaird, Chair, Senator Graham and Senator Clodfelter as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

Upon motion of Senator Basnight, seconded by Senator Dorsett, the Senate adjourns subject to receipt of committee reports, conference reports and messages from the House of Representatives, and ratification of bills, to meet Wednesday, July 9, at 2:00 P.M.

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**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 847** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AGRICULTURAL WORKERS TO THOSE PROTECTED AGAINST RETALIATION IN THE WORKPLACE AND TO DIRECT THE PESTICIDE BOARD TO ADOPT RULES REQUIRING LICENSED PESTICIDE APPLICATORS TO RECORD THE SPECIFIC TIME OF DAY WHEN EACH PESTICIDE APPLICATION IS COMPLETED, AS RECOMMENDED BY THE GOVERNOR'S TASK FORCE ON PREVENTING AGRICULTURAL PESTICIDE EXPOSURE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1339** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1541** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1598** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, THE CITIES OF LOCUST AND WILMINGTON, THE TOWNS OF BEULAVILLE, BUTNER, ERWIN, HOBGOOD, MAYODAN, MOUNT OLIVE, OAKBORO, ORIENTAL, PINEVILLE, AND THE VILLAGE OF PINEHURST TO REGULATE GOLF CARTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

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**S.B. 1681** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE-CONTROLLED PASSENGER-CARRYING VEHICLES TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1800** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO ALLOW CERTAIN NATURAL GAS UTILITY EMPLOYEES AND CONTRACTORS TO USE ALL-TERRAIN VEHICLES ON PUBLIC HIGHWAYS WHILE ACTING IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT; AND TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSE LAW GOVERNING THE LOCATION OF ADDITIONAL OR RELOCATED NEW MOTOR VEHICLE DEALERS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1878** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE

July 8, 2008

TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 9, for concurrence.

**S.B. 1957** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES, for concurrence in House Amendment No. 1.

The Committee Substitute bill, as amended, is placed on the Calendar for Wednesday, July 9, for concurrence.

**H.B. 2397** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO AUTHORIZE EMPLOYING ENTITIES OF THE GENERAL ASSEMBLY TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF PROSPECTIVE AND CURRENT EMPLOYEES.

Referred to the **Finance Committee**.

**H.B. 2412**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE AUTHORITY OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO LOCATE AND ACQUIRE RIGHT-OF-WAY FOR THE LOCATION, ABOVE OR BELOW GROUND, OF FIBER OPTIC CABLE.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

**H.B. 2496**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Appropriations/Base Budget Committee**.

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**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Finance Committee**.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 2064**, A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO APPROPRIATE FUNDS FOR THAT PURPOSE, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEY'S FEES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55775, which changes the title to read **S.B. 2064** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES

July 8, 2008

OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 822** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51049, which changes the title upon concurrence to read **H.B. 822** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN EXCEPTIONS TO THE SETBACK REQUIREMENTS OF THE SWINE FARM SITING ACT, TO PROVIDE FOR A VARIANCE FROM THE SETBACK REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR ENFORCEMENT OF THE SWINE FARM SITING ACT, is adopted and engrossed.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 8, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 2436** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 8, 2008

**ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 2436**, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Graham for the **State & Local Government Committee**:

**H.B. 2162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG, with a favorable report.

**H.B. 2376** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO REPURCHASE A PERFORMING ARTS FACILITY PREVIOUSLY OWNED BY THAT CITY, with a favorable report.

**H.B. 2579**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT, with a favorable report.

**H.B. 2640**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY, with a favorable report.

**H.B. 2666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HOSPITAL POLICE OFFICERS IN ASHE COUNTY CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES TO DIRECT TRAFFIC ON STREETS AND HIGHWAYS ADJACENT TO THE HOSPITAL AND HOSPITAL HELIPAD IN ORDER TO FACILITATE HELICOPTER TRAFFIC, with a favorable report.

**H.B. 2771**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES

July 8, 2008

HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL, with a favorable report.

**H.B. 2634**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN CASWELL COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 80636, is adopted and engrossed.

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.J.R. 2075**, A JOINT RESOLUTION HONORING THOSE WHO HAVE CONTRIBUTED TO THE SUCCESS OF THE REIDSVILLE HIGH SCHOOL FOOTBALL PROGRAM.

Referred to the **Rules and Operations of the Senate Committee**.

**H.B. 2409**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Referred to the **Finance Committee**.

**H.B. 2668** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY.

Referred to the **State & Local Government Committee**.

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS.

Referred to the **Finance Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:12 P.M.

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July 8, 2008

**ONE HUNDRED FORTY-SEVENTH DAY**

Senate Chamber  
Wednesday, July 9, 2008

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

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

"Dear Lord, the apostle Paul wrote, 'When I was a child, I thought like a child, I reasoned like a child. When I became an adult, I gave up childish things.' He was right. Childish adults cling to the worst of childhood, selfishness, being unreasonable, egocentric, and quarrelsome. Jesus said unless you turn and become like children, you will never enter the kingdom of God. In other words, childish, no; childlike, yes. Being childlike as an adult is possessing wide-eyed hopefulness, clear-sightedness, honesty, and sensitivity. That's our challenge everyday, O God. Help us to be childlike in our dealings with others, not childish. Amen."

The Chair grants leaves of absence for today's to Senator Goodall and Senator Hoyle.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, July 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Ram Sapasetry from Kinston, North Carolina, who is serving the Senate as Doctor of the Day, and to Shannon Pointer from Semora, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 2117**, AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS.

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**H.B. 1113**, AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CLAIMS UNDER THE STATE TORT CLAIMS ACT IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF CERTAIN PARTIES TO PROTECT CLAIMANTS FROM THE ACTION OF OTHERS.

**H.B. 2338**, AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

**H.B. 2463**, AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT.

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 2156**, AN ACT TO AUTHORIZE THE TOWN OF LELAND TO LEVY A ROOM OCCUPANCY TAX. (Became law upon ratification, July 8, 2008 - S.L. 2008-64.)

**H.B. 2255**, AN ACT TO INCLUDE EDGEcombe, NASH, AND WILSON COUNTIES WITHIN THE PROVISIONS OF A 1983 ACT WHICH INCREASED THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS. (Became law upon ratification, July 8, 2008 - S.L. 2008-65.)

**H.B. 2343**, AN ACT TO PROVIDE PROCEDURES FOR THE CITY OF DURHAM TO REVISE ELECTION WARD BOUNDARIES. (Became law upon ratification, July 8, 2008 - S.L. 2008-66.)

**H.B. 2468**, AN ACT TO EXEMPT IREDELL COUNTY AND THE TOWN OF MOORESVILLE FROM CERTAIN REQUIREMENTS FOR PUBLIC CONTRACTS. (Became law upon ratification, July 8, 2008 - S.L. 2008-67.)

**H.B. 2563**, AN ACT TO ALLOW RICHMOND COUNTY TO REMOVE UNAUTHORIZED VEHICLES FROM PRIVATE LOTS. (Became law upon ratification, July 8, 2008 - S.L. 2008-68.)

July 9, 2008

**H.B. 2738**, AN ACT TO PROVIDE THAT ELECTING COUNTIES WILL BE HELD HARMLESS FOR WORK FIRST FAMILY ASSISTANCE. (Became law upon ratification, July 8, 2008 - S.L. 2008-69.)

**H.B. 2752**, AN ACT TO AUTHORIZE THE CITY OF SANFORD TO MAKE SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY WITHIN LEE COUNTY. (Became law upon ratification, July 8, 2008 - S.L. 2008-70.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Dannelly for the **Appropriations/Base Budget Committee**:

**H.B. 2496**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

**S.B. 1100**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR TOURISM PROMOTION GRANTS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85491, which changes the title to read **S.B. 1100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

**S.B. 1796**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADOPT A POLICY ALLOWING A CERTAIN INCOME DISREGARD UNDER THE MEDICAID PROGRAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35604, which changes the title to read **S.B. 1796** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE MEDICAID PROGRAM, is adopted and engrossed.

July 9, 2008

**S.B. 2081** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 85492, is adopted and engrossed.

**H.B. 1687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LEGISLATORS WITH THE SAME MILEAGE RATES AS STATE EMPLOYEES AND TO ESTABLISH BOTH STATE EMPLOYEE AND LEGISLATIVE RATES AT THE FEDERAL EMPLOYEE RATE FOR TRAVEL, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10491, which changes the title upon concurrence to read **H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES, is adopted and engrossed.

By Senator Purcell for the **Health Care Committee**:

**H.B. 2410**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, with a favorable report.

By Senator Graham for the **State & Local Government Committee**:

**H.B. 2155**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR HOLDEN BEACH, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60545, which changes the title upon concurrence to read **H.B. 2155** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR THE TOWNS OF HOLDEN BEACH AND OAK ISLAND, is adopted and engrossed.

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**CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**S.B. 2156** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SPECIAL ASSESSMENTS IN CABARRUS, CUMBERLAND, HENDERSON, AND ROWAN COUNTIES, AND THE CITIES LOCATED IN WHOLE OR IN PART IN THOSE COUNTIES, TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS, upon second reading.

Upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**CONFERENCE REPORT**

Senator Swindell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 15** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 15, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES, Senate Education/Public Instruction Committee Substitute Adopted 6/25/08, submit the following report:

The House concurs in the Senate Education/Public Instruction Committee Substitute Adopted 6/25/08, with an amendment:

Delete the entire Senate Education/Public Instruction Committee Substitute Adopted 6/25/08, and substitute the attached Proposed Conference Committee Substitute H15-PCCS51051-LB-3.

The Senate agrees to the same.

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

Date Conferees approved report: July 8, 2008.

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*Conferees for the Senate*

S/A. B. Swindell, Chair  
 S/Martin L. Nesbitt, Jr.  
 S/Linda Garrou  
 S/Jerry W. Tillman

*Conferees for the House of Representatives*

S/Tricia Ann Cotham, Chair  
 S/Rick Glazier  
 S/Laura I. Wiley  
 S/Maggie Jeffus  
 S/Linda P. Johnson

The text of the attached Proposed Conference Committee Substitute H15-PCCS51051-LB-3 is as follows:

A BILL TO BE ENTITLED  
 AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR  
 TAKING PERSONAL LEAVE TIME UNDER CERTAIN  
 CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 115C-302.1(d) reads as rewritten:

**"§ 115C-302.1. Salary.**

(d) Personal Leave. – Teachers earn personal leave at the rate of .20 days for each full month of employment not to exceed two days per year. Personal leave may be accumulated without any applicable maximum until June 30 of each year. A teacher may carry forward to July 1 a maximum of five days of personal leave; the remainder of the teacher's personal leave shall be converted to sick leave on June 30. At the time of retirement, a teacher may also convert accumulated personal leave to sick leave for creditable service towards retirement.

Personal leave may be used only upon the authorization of the teacher's immediate supervisor. A teacher shall not take personal leave on the first day the teacher is required to report for the school year, on a required teacher workday, on days scheduled for State testing, or on the day before or the day after a holiday or scheduled vacation day, unless the request is approved by the principal. On all other days, if the request is made at least five days in advance, the request shall be automatically granted subject to the availability of a substitute teacher, and the teacher cannot be required to provide a reason for the request. Teachers may transfer personal leave days between local school administrative units. The local school administrative unit shall credit a teacher who has separated from service and is reemployed within 60 months from the date of separation with all personal leave accumulated at the time of separation. Local school administrative units shall not advance personal leave. Teachers using personal leave receive full salary less the required substitute ~~deduction~~. deduction, except for teachers using personal leave on non-protected teacher workdays. Teachers using personal leave on non-protected teacher workdays shall receive full salary."

**SECTION 1.(b)** Subsection (a) of this section becomes effective July 1, 2008, except if House Bill 2436, 2007 Regular Session, becomes law and

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also amends G.S. 115C-302.1(d), then subsection (a) of this section instead becomes effective July 1, 2009.

**SECTION 2.** If House Bill 2436, 2007 Regular Session, becomes law, then G.S. 115C-302.1(d), as amended by Section 26.21 of that act to expire June 30, 2009, reads as rewritten:

**SECTION 26.21.(a)** G.S. 115C-302.1(d) reads as rewritten:

"(d) Personal Leave. – Teachers earn personal leave at the rate of .20 days for each full month of employment not to exceed two days per year. Personal leave may be accumulated without any applicable maximum until June 30 of each year. A teacher may carry forward to July 1 a maximum of five days of personal leave; the remainder of the teacher's personal leave shall be converted to sick leave on June 30. At the time of retirement, a teacher may also convert accumulated personal leave to sick leave for creditable service towards retirement.

Personal leave may be used only upon the authorization of the teacher's immediate supervisor. A teacher shall not take personal leave on the first day the teacher is required to report for the school year, on a required teacher workday, on days scheduled for State testing, or on the day before or the day after a holiday or scheduled vacation day, unless the request is approved by the principal. On all other days, if the request is made at least five days in advance, the request shall be automatically granted subject to the availability of a substitute teacher, and the teacher cannot be required to provide a reason for the request. Teachers may transfer personal leave days between local school administrative units. The local school administrative unit shall credit a teacher who has separated from service and is reemployed within 60 months from the date of separation with all personal leave accumulated at the time of separation. Local school administrative units shall not advance personal leave. Teachers using:

- (1) ~~up~~ Up to one day of personal leave per year shall receive full salary. ~~Teachers~~ Except as provided in subdivision (2) of this subsection, teachers using more than one day per year shall receive full salary less the required substitute deduction.
- (2) Personal leave receive full salary less the required substitute deduction, except for teachers using personal leave on non-protected teacher workdays. Teachers using personal leave on non-protected teacher workdays shall receive full salary.

As used in this subsection, 'teachers' means classroom teachers and media specialists who require a substitute."

**SECTION 3.** Except as otherwise provided, this act is effective when it becomes law. Section 2 expires at the same time that the amendment to G.S. 115C-302.1(d) made by House Bill 2436, 2007 Regular Session, expires.

The Conference Report is placed on the Calendar for Thursday, July 10, for adoption.

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**CALENDAR** (*continued*)

**H.B. 2414** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE, upon second reading.

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hagan, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The Committee Substitute bill No. 2 remains on the Calendar for Thursday, July 10, upon third reading.

**H.B. 2162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2376** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO REPURCHASE A PERFORMING ARTS FACILITY PREVIOUSLY OWNED BY THAT CITY.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2579**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT.

The bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2580** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2640**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL

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TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY.

The bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HOSPITAL POLICE OFFICERS IN ASHE COUNTY CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES TO DIRECT TRAFFIC ON STREETS AND HIGHWAYS ADJACENT TO THE HOSPITAL AND HOSPITAL HELIPAD IN ORDER TO FACILITATE HELICOPTER TRAFFIC.

The Committee Substitute bill passes its second (47-0) and third readings and is ordered enrolled.

**H.B. 2771**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL.

The bill passes its second (47-0) and third readings and is ordered enrolled.

**S.B. 2064** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES.

Upon motion of Senator Nesbitt, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**H.B. 2634** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN CASWELL COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE.

The Senate Committee Substitute bill passes its second (47-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 1598** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, THE CITIES OF LOCUST AND WILMINGTON, THE TOWNS OF BEULAVILLE, BUTNER, ERWIN, HOBGOOD, MAYODAN, MOUNT OLIVE, OAKBORO, ORIENTAL, PINEVILLE, AND THE VILLAGE OF PINEHURST TO REGULATE GOLF CARTS, upon second reading.

*Without objection, Senator Berger of Rockingham requests to be excused from voting on the House Committee Substitute bill due to a conflict of interest.*

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Upon motion of Senator Jones, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hagan, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Thursday, July 10, for concurrence upon third reading.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 1925** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

Upon motion of Senator Rand, the rules are suspended and the House Committee Substitute bill is placed on the Calendar for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (1-46).

Senator Stevens offers a motion that the Senate appoint conferees, which motion prevails.

### **CALENDAR** *(continued)*

**H.B. 2768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION

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FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM.

Upon motion of Senator Kinnaird, the President orders, without objection, the Committee Substitute bill temporarily displaced.

**H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM.

Upon motion of Senator Jenkins, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.B. 1661** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE LIMIT ON THE MONTHLY PENSION AMOUNT PAYABLE FROM THE REGISTERS OF DEEDS' SUPPLEMENTAL PENSION FUND.

The Committee Substitute bill passes its second (46-1) and third readings and is ordered sent to the House of Representatives by special message.

**S.B. 1770** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED AND TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS AND TO APPROPRIATE FUNDS FOR IMPLEMENTATION.

Senator Nesbitt offers Amendment No. 1 which is adopted (47-0), and changes the title to read **S.B. 1770** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED AND TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS.

The Committee Substitute bill, as amended, passes its second (48-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

### CONFERENCE REPORT

Senator Hartsell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 545** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1)

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PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 545, A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME

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FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS, Senate Judiciary II (Criminal) Committee Substitute Adopted 6/25/08, submit the following report:

The House and the Senate agree to the following amendments to the Senate Judiciary II (Criminal) Committee Substitute Adopted 6/25/08, and the House concurs in the Senate Judiciary II (Criminal) Committee Substitute as amended:

And on page 13, line 19, by rewriting the line to read:

"representing 10,000 or more retired State government, local government, or";

And on page 13, line 26, by rewriting the line to read:

"organizations representing 10,000 or more retired State government, local".

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

Date Conferees approved report: July 9, 2008.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
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S/Fletcher Hartsell, Jr., Chair	S/Deborah K. Ross, Chair
S/A. B. Swindell	S/Bill Owens
S/Richard Stevens	S/Paul Stam
S/Ed Jones	

The Conference Report is placed on the Calendar for Thursday, July 10, for adoption.

#### **CALENDAR** *(continued)*

**S.B. 1967** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF STORMWATER IN THE COASTAL COUNTIES IN ORDER TO PROTECT WATER QUALITY.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message.

**H.B. 2768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE

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THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM, temporarily displaced earlier today.

Senator Kinnaird offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hagan, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill, as amended, remains on the Calendar for Thursday, July 10, upon third reading.

**H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM, temporarily displaced earlier today.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 14.

**H.B. 822** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN EXCEPTIONS TO THE SETBACK REQUIREMENTS OF THE SWINE FARM SITING ACT, TO PROVIDE FOR A VARIANCE FROM THE SETBACK REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR ENFORCEMENT OF THE SWINE FARM SITING ACT.

Senator Albertson offers Amendment No. 1 which is adopted (48-0).

Senator Albertson offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (42-6).

Senator Kinnaird objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 10, upon third reading, as amended.

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**H.B. 2308**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51052, is adopted and engrossed.

**H.B. 2265** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT BUSES FROM SAFETY INSPECTIONS REQUIRED UNDER MOTOR VEHICLE LAWS IF THEY ARE TITLED TO A LOCAL BOARD OF EDUCATION AND SUBJECT TO SCHOOL BUS INSPECTION REQUIREMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70803, is adopted and engrossed.

**H.B. 2318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60548, is adopted and engrossed.

**CALENDAR** (*continued*)

**H.B. 2728** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, AND CONCERNING COMPENSATION OF EMPLOYEES IN THE INVESTMENT DIVISION.

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The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 1878** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, upon second reading.

Upon motion of Senator Clodfelter, the Senate fails to concur in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 0, noes 48, as follows:

Voting in the affirmative: None.

Voting in the negative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hagan, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

The President orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 847** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AGRICULTURAL WORKERS TO THOSE PROTECTED AGAINST RETALIATION IN THE WORKPLACE AND TO DIRECT THE PESTICIDE BOARD TO ADOPT RULES REQUIRING LICENSED PESTICIDE APPLICATORS TO RECORD THE SPECIFIC TIME OF DAY WHEN EACH PESTICIDE APPLICATION IS COMPLETED, AS RECOMMENDED BY THE GOVERNOR'S TASK FORCE ON PREVENTING AGRICULTURAL PESTICIDE EXPOSURE.

Upon motion of Senator Albertson, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

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**S.B. 1339** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID.

Senator Clodfelter, as Chairman of the Finance Committee, requests a fiscal note for S.B. 1339.

Pursuant to Rule 42.1(a) and upon motion of Senator Jenkins, the House Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**S.B. 1541** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

Upon motion of Senator Malone, the Senate concurs in the House Committee Substitute bill No. 2 (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1681** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE-CONTROLLED PASSENGER-CARRYING VEHICLES TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill (43-5) and the bill is ordered enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 161**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NORTH CAROLINA'S NATIVE SON, BENNY PARSONS, NASCAR CHAMPION AND POPULAR SPORTSCASTER.

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

The joint resolution passes its second reading (45-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Goss, the President extends the courtesies of the gallery to the family of Benny Parsons: Mrs. Terri Parsons, widow of Benny

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Parsons; Kevin Parsons, his son and his wife, Kim; Keith Parsons, his son and his wife, Colleen, and their children, Libbie and Emily; Patty Parsons Severt, his sister; and Kinsley Parsons, his niece.

**CALENDAR** (*continued*)

**S.B. 1704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

Upon motion of Senator Hartsell, the House Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 10.

**S.B. 1800** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO ALLOW CERTAIN NATURAL GAS UTILITY EMPLOYEES AND CONTRACTORS TO USE ALL-TERRAIN VEHICLES ON PUBLIC HIGHWAYS WHILE ACTING IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT; AND TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSE LAW GOVERNING THE LOCATION OF ADDITIONAL OR RELOCATED NEW MOTOR VEHICLE DEALERS.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1957** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

Upon motion of Senator Rand, the Senate concurs in House Amendment No. 1, (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 212** (Conference Report), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS, for adoption.

Senator Rand announces a pair vote. If Senator Hoyle were present, he would vote "no"; Senator Rand votes "aye".

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Upon motion of Senator Kinnaird, the Conference Report is adopted (35-12). A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 212** (Conference Report), A BILL TO BE ENTITLED AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 212 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 1770** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 30741, which changes the title upon concurrence to read **H.B. 1770** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS AND TO ALLOW SPECIAL ASSESSMENTS TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS, is adopted and engrossed.

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

**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

**CALENDAR** (*continued*)

**S.B. 1100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC

July 9, 2008

SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, placed earlier on today's Calendar.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message.

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 2075**, A JOINT RESOLUTION HONORING THOSE WHO HAVE CONTRIBUTED TO THE SUCCESS OF THE REIDSVILLE HIGH SCHOOL FOOTBALL PROGRAM, referred to the **Rules and Operations of the Senate Committee** on Tuesday, July 8.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Thursday, July 10, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Thursday, July 10.

#### APPOINTMENT OF ADDITIONAL CONFEREE

**H.B. 1366** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Kinnaird as an additional conferee on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**S.B. 1878** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE

July 9, 2008

TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 1878 on Tuesday, July 8, and the motion to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair; Senator Hoyle; Senator Snow; and Senator Stevens as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1925** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 1925 earlier today, and the motion to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Rand, Chair; Senator Kerr; Senator Stevens; and Senator Hartsell as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

Upon motion of Senator Basnight, seconded by Senator Snow, the Senate adjourns in memory of Joel Wright, Jr. and Mary Barber, two of Senator Apodaca's constituents from Hendersonville who recently passed away, and subject to introduction of bills, receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Thursday, July 10, at 11:30 A.M.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Cowell:

**S.R. 2170**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF AN APPOINTMENT MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

The Senate resolution is placed on the Calendar for Thursday, July 10.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Amendment for **H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, AND TO AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS, and requests conferees.

Speaker Hackney has appointed:

Representative Bell, Chair  
Representative Ross  
Representative J. Harrell  
Representative Coleman  
Representative McGee, and  
Representative Kiser

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 9, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 8, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 488**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, and requests conferees, Speaker Hackney appoints:

Representative Insko, Chair  
Representative Faison, and  
Representative Goodwin

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 2340** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES.

Referred to the **Judiciary I Committee**.

**S.B. 175** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERSTATE WILDLIFE VIOLATOR COMPACT IN

July 9, 2008

NORTH CAROLINA, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 944** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE LEAVING THE SCENE OF AN ACCIDENT WHERE A PERSON SUFFERS SERIOUS BODILY INJURY A CLASS F FELONY AND TO PROVIDE THAT THEFT OF FIXTURES ATTACHED TO REAL PROPERTY IS LARCENY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1314** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1946** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Rand for the **Select Committee on Employee Hospital and Medical Benefits:**

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**H.B. 2443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS, AND PERTAINING TO THE NORTH CAROLINA HEALTH CHOICE PROGRAM, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill, with amendment.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80635, which changes the title upon concurrence to read **H.B. 2443** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS, is adopted and engrossed. Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 2008**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE APPEALS PROCESS FOR MEDICAID RECIPIENTS AND PROVIDERS APPEALING DEPARTMENT OF HEALTH AND HUMAN SERVICES DECISIONS PERTAINING TO ELIGIBILITY AND SERVICES UNDER THE MEDICAID PROGRAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75604, which changes the title to read **S.B. 2008** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE APPEALS PROCESS FOR MEDICAID APPLICANTS AND RECIPIENTS APPEALING DEPARTMENT OF HEALTH AND HUMAN SERVICES DETERMINATIONS PERTAINING TO SERVICES UNDER THE MEDICAID PROGRAM, is adopted and engrossed.

Upon motion of Senator Nesbitt, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 1878** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR

July 9, 2008

GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, and requests conferees, Speaker Hackney appoints:

Representative Luebke, Chair  
Representative Brubaker  
Representative Gibson  
Representative McComas  
Representative Wainwright, and  
Representative Weiss

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 180** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1340** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES, for concurrence in the House Committee Substitute bill No. 2.

July 9, 2008

The House Committee Substitute bill No. 2 is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1736** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1766** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 1924** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE

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INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

**S.B. 2015** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 10, for concurrence.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:37 P.M.

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### ONE HUNDRED FORTY-EIGHTH DAY

Senate Chamber  
Thursday, July 10, 2008

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

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

"Our Lord, Holy Scripture encourages us with the words, 'Be perfect even as your Father in heaven is perfect.' Those of us who aren't deluded know that perfection is impossible, but I think too often we wear our humanity as an excuse for our actions. We ask that you help us to claim your divine spark and nature not only within ourselves, but also with each other all the while striving for that perfection you mention. Often it is not our failure to achieve perfection by our low aim that's the problem. Finally, if the Senate adjourns before my return from the mission trip, my thoughts and prayers follow each member as they campaign for elected office. May they be strong in conviction and forthright with all of their dealings and always ambassadors for you, O God. Godspeed. Amen."

The Chair grants a leave of absence for today to Senator Hartsell.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, July 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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*The Chair extends privileges of the floor to Dr. W. Grimes Byerly, Jr. from Hickory, North Carolina, who is serving the Senate as Doctor of the Day.*

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 212**, AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS.

**S.B. 847**, AN ACT TO ADD AGRICULTURAL WORKERS TO THOSE PROTECTED AGAINST RETALIATION IN THE WORKPLACE AND TO DIRECT THE PESTICIDE BOARD TO ADOPT RULES REQUIRING LICENSED PESTICIDE APPLICATORS TO RECORD THE SPECIFIC TIME OF DAY WHEN EACH PESTICIDE APPLICATION IS COMPLETED, AS RECOMMENDED BY THE GOVERNOR'S TASK FORCE ON PREVENTING AGRICULTURAL PESTICIDE EXPOSURE.

**S.B. 1541**, AN ACT TO ENACT THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

**S.B. 1681**, AN ACT TO REQUIRE STATE-CONTROLLED PASSENGER-CARRYING VEHICLES TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.

**S.B. 1800**, AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO ALLOW CERTAIN NATURAL GAS UTILITY EMPLOYEES AND CONTRACTORS TO USE ALL-TERRAIN VEHICLES ON PUBLIC HIGHWAYS WHILE ACTING IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT; AND TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSE LAW GOVERNING THE LOCATION OF ADDITIONAL OR RELOCATED NEW MOTOR VEHICLE DEALERS.

**S.B. 1885**, AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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**S.B. 1957**, AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES.

**H.B. 1549**, AN ACT TO AMEND THE PROCESS OF APPOINTMENTS TO THE NORTH CAROLINA AUCTIONEERS COMMISSION.

**H.B. 2188**, AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT.

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

**H.B. 2162**, AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG.

**H.B. 2376**, AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO REPURCHASE A PERFORMING ARTS FACILITY PREVIOUSLY OWNED BY THAT CITY.

**H.B. 2579**, AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT.

**H.B. 2580**, AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.

**H.B. 2640**, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY.

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**H.B. 2666**, AN ACT TO AUTHORIZE HOSPITAL POLICE OFFICERS IN ASHE COUNTY CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES TO DIRECT TRAFFIC ON STREETS AND HIGHWAYS ADJACENT TO THE HOSPITAL AND HOSPITAL HELIPAD IN ORDER TO FACILITATE HELICOPTER TRAFFIC.

**H.B. 2771**, AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL.

**H.J.R. 161**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NORTH CAROLINA'S NATIVE SON, BENNY PARSONS, NASCAR CHAMPION AND POPULAR SPORTSCASTER. (Res. 26)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Jones for the **Judiciary II Committee**:

**S.B. 1860** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE, with a favorable report as to concurrence.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 819** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO PROVIDE THAT: (1) AN APPLICATION FOR A CONSTRUCTION PERMIT FOR A PRIVATE DRINKING WATER WELL THAT IS TO BE LOCATED ON A SITE ON WHICH A WASTEWATER SYSTEM IS LOCATED MAY BE ACCOMPANIED BY A SITE PLAN RATHER THAN A PLAT; (2) PROOF OF COMPLETION OF ANY REQUIRED PROFESSIONAL DEVELOPMENT IS REQUIRED FOR RENEWAL OF A WELL CONTRACTOR CERTIFICATE; AND (3) CIVIL PENALTIES COLLECTED BY THE DEPARTMENT OR OTHER STATE AGENCY UNDER ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES SHALL BE USED AS PROVIDED IN SECTION 7 OF ARTICLE IX OF THE CONSTITUTION OF NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70806, which changes the title upon concurrence to read **H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS GOVERNING MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT, TO PROVIDE FOR MANAGEMENT OF DISCARDED TELEVISIONS, TO DELAY THE EFFECTIVE DATE UNTIL 1 JANUARY 2010, AND TO MAKE OTHER CONFORMING AND TECHNICAL CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

Upon motion of Senator Atwater, the Senate Committee Substitute bill is referred to the **Finance Committee**.

By Senator East for the **State & Local Government Committee**:

**H.B. 2093** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF LOWELL AND MANTEO TO THE LIST OF CITIES WHERE MUNICIPAL EMPLOYEES MAY USE ALL-TERRAIN VEHICLES ON HIGHWAYS WITH POSTED SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS, with a favorable report.

**H.B. 2488** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM, with a favorable report.

**H.B. 2760**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN STOKES COUNTY, with a favorable report.

**H.B. 2784** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING INVESTMENTS OF THE CITY OF FAYETTEVILLE AND THE PUBLIC WORKS COMMISSION OF FAYETTEVILLE, with a favorable report.

**H.B. 472** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MOVE ELECTIONS FOR THE TOWN OF ROPER TO THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70805, is adopted and engrossed.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL

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ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 14.

**H.B. 2414** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE, upon third reading.

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered enrolled.

**H.B. 2155** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR THE TOWNS OF HOLDEN BEACH AND OAK ISLAND.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 1598** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, THE CITIES OF LOCUST AND WILMINGTON, THE TOWNS OF BEULAVILLE, BUTNER, ERWIN, HOBGOOD, MAYODAN, MOUNT OLIVE, OAKBORO, ORIENTAL, PINEVILLE, AND THE VILLAGE OF PINEHURST TO REGULATE GOLF CARTS, upon third reading.

Upon motion of Senator Jones, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---47.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

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**H.B. 2768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM, upon third reading as amended on second reading.

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives by special message for concurrence on Senate Amendment No. 1.

**H.B. 1770** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS AND TO ALLOW SPECIAL ASSESSMENTS TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS, upon second reading.

The Senate Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Senate Committee Substitute bill remains on the Calendar for Monday, July 14, upon third reading.

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**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, July 14, upon third reading.

**S.B. 1796** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE MEDICAID PROGRAM.

The Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message.

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**S.B. 2081** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS.

Upon motion of Senator Rand, the President orders, without objection, the Committee Substitute bill No. 2 temporarily displaced.

**H.J.R. 2075**, A JOINT RESOLUTION HONORING THOSE WHO HAVE CONTRIBUTED TO THE SUCCESS OF THE REIDSVILLE HIGH SCHOOL FOOTBALL PROGRAM.

The joint resolution passes its second (49-0) and third readings and is ordered enrolled.

**H.B. 2265** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT BUSES FROM SAFETY INSPECTIONS REQUIRED UNDER MOTOR VEHICLE LAWS IF THEY ARE TITLED TO A LOCAL BOARD OF EDUCATION AND SUBJECT TO SCHOOL BUS INSPECTION REQUIREMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**S.B. 1339** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID, with a favorable report as to concurrence.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar.

**H.B. 2314** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY

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LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60549, is adopted and engrossed.

**H.B. 2720** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION AND THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE ONLY NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTEEN PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60547, which changes the title upon concurrence to read **H.B. 2720** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTY PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE, is adopted and engrossed.

#### CALENDAR *(continued)*

**H.B. 2308** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2318** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

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**H.B. 2410**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**H.B. 2443** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS.

The Senate Committee Substitute bill passes its second (48-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2496**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill passes its second (48-0) and third readings and is ordered enrolled and sent to the Governor by special message.

#### WITHDRAWAL FROM CALENDAR

**H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM, placed on the Calendar for Monday, July 14.

Senator Rand offers a motion that the Senate Committee Substitute bill be withdrawn from the Calendar for Monday, July 14, and placed on today's Calendar which motion prevails.

The President orders the Senate Committee Substitute bill withdrawn from the Calendar for Monday, July 14, and places it on today's Calendar.

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**CALENDAR** (*continued*)

**H.B. 822** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CERTAIN EXCEPTIONS TO THE SETBACK REQUIREMENTS OF THE SWINE FARM SITING ACT, TO PROVIDE FOR A VARIANCE FROM THE SETBACK REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR ENFORCEMENT OF THE SWINE FARM SITING ACT, as amended on second reading.

The Senate Committee Substitute bill, as amended, passes its third reading (40-8) and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**S.B. 1314** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY, for concurrence upon second reading.

Upon motion of Senator Cowell, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Monday, July 14, for concurrence upon third reading.

**S.B. 1340** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES, for concurrence upon second reading.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill No. 2 on its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake,

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Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for Monday, July 14, for concurrence upon third reading.

**S.B. 1736** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS, for concurrence upon second reading.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Monday, July 14, for concurrence upon third reading.

**S.B. 175** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE INTERSTATE WILDLIFE VIOLATOR COMPACT IN NORTH CAROLINA, for concurrence.

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Upon motion of Senator Snow, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 180** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES, for concurrence.

Upon motion of Senator Rand, the House Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 14.

**S.B. 944** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE LEAVING THE SCENE OF AN ACCIDENT WHERE A PERSON SUFFERS SERIOUS BODILY INJURY A CLASS F FELONY AND TO PROVIDE THAT THEFT OF FIXTURES ATTACHED TO REAL PROPERTY IS LARCENY, for concurrence.

Upon motion of Senator Dalton, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, for concurrence upon second reading.

The President rules that the House Committee Substitute bill requires a call of the roll upon concurrence.

Upon motion of Senator Hoyle, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---48.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Monday, July 14, for concurrence upon third reading.

**S.B. 1766** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT

SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, for concurrence.

Upon motion of Senator Rand, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1924** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, for concurrence.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1946** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE, for concurrence.

Upon motion of Senator Cowell, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 2015** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS, for concurrence.

Upon motion of Senator Garrou, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

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**S.R. 2170**, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF AN APPOINTMENT MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

The Senate resolution is adopted (49-0).

**H.B. 15** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

Upon motion of Senator Swindell, the Senate adopts the Conference Report (49-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 545** (Conference Report), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (49-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 2081** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL

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BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS, temporarily displaced earlier today.

Senator Berger of Rockingham offers Amendment No. 1.

Senator Rand calls the previous question on the adoption of Amendment No. 1, seconded by Senator Hoyle, which motion prevails (33-15).

Amendment No. 1 is adopted (30-19).

Senator Berger of Rockingham offers Amendment No. 2 which is adopted (48-1).

Senator Berger of Rockingham offers Amendment No. 3 which is adopted (49-0).

The Committee Substitute bill No. 2, as amended, passes its second (49-0) and third (49-0) readings and is ordered engrossed and sent to the House of Representatives by special message.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1598**, AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, THE CITIES OF LOCUST AND WILMINGTON, THE TOWNS OF BEULAVILLE, BUTNER, ERWIN, HOBGOOD, MAYODAN, MOUNT OLIVE, OAKBORO, ORIENTAL, PINEVILLE, AND THE VILLAGE OF PINEHURST TO REGULATE GOLF CARTS.

**H.B. 2414**, AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE.

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**S.B. 1339** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID, placed earlier on today's Calendar.

*Without objection, Senator Brunstetter requests to be excused from voting on the House Committee Substitute bill due to a conflict of interest.*

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill (46-1) and the bill is ordered enrolled and sent to the Governor by special message.

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**H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM, placed earlier on today's Calendar.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Monday, July 14.

Upon motion of Senator Basnight, seconded by Senator Goss, the Senate adjourns subject to introduction of bills, ratification of bills, receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Monday, July 14, at 7:00 P.M.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Senator Dannelly:

**S.J.R. 2171**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD M. "ED" O'HERRON, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

Referred to the **Rules and Operations of the Senate Committee**.

### CONFERENCE REPORT

Senator Nesbitt, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 887** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 887, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, Senate Judiciary I (Civil) Committee Substitute Adopted 6/26/08, submit the following report:

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The House and Senate agree to the following amendment to the Senate Judiciary I (Civil) Committee Substitute Adopted 6/26/08 and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H887-PCCS70807-RK-6.

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

Date Conferees approved report: July 10, 2008.

*Conferees for the Senate*                      *Conferees for the House of Representatives*

S/Martin L. Nesbitt, Jr., Chair	S/Laura I. Wiley, Chair
S/Jerry W. Tillman	S/Alice Graham Underhill
S/Julia Boseman	S/James H. Langdon, Jr.
S/Eleanor Kinnaird	S/Deborah K. Ross

The text of the attached Proposed Conference Committee Substitute H887-PCCS70807-RK-6 is as follows:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-277.3 is repealed.

**SECTION 2.** Chapter 14 of the General Statutes is amended by adding a new section to read:

**§ 14-277.3A. Stalking.**

(a) Legislative Intent. – The General Assembly finds that stalking is a serious problem in this State and nationwide. Stalking involves severe intrusions on the victim's personal privacy and autonomy. It is a crime that causes a long-lasting impact on the victim's quality of life and creates risks to the security and safety of the victim and others, even in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

The General Assembly recognizes the dangerous nature of stalking as well as the strong connections between stalking and domestic violence and between stalking and sexual assault. Therefore, the General Assembly enacts this law to encourage effective intervention by the criminal justice system before stalking escalates into behavior that has serious or lethal consequences. The General Assembly intends to enact a stalking statute that permits the criminal justice system to hold stalkers accountable for a wide range of acts, communications, and conduct. The General Assembly recognizes that stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means.

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- (b) Definitions. – The following definitions apply in this section:
- (1) Course of conduct. – Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - (2) Harasses or harassment. – Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
  - (3) Reasonable person. – A reasonable person in the victim's circumstances.
  - (4) Substantial emotional distress. – Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(c) Offense. – A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

- (1) Fear for the person's safety or the safety of the person's immediate family or close personal associates.
- (2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

(d) Classification. – A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.

(e) Jurisdiction. – Pursuant to G.S. 15A-134, if any part of the offense occurred within North Carolina, including the defendant's course of conduct or the effect on the victim, then the defendant may be prosecuted in this State."

**SECTION 3.** This act becomes effective December 1, 2008, and applies to offenses committed on or after that date. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

The Conference Report is placed on the Calendar for Monday, July 14, for adoption.

### CONFERENCE REPORT

Senator Kinnaird, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 488** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, submits for adoption the following report:

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 488, A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, House Committee Substitute #2, Favorable 6/26/08, submit the following report:

The Senate concurs in the House Committee Substitute #2, Favorable 6/26/08, with an amendment: Delete the entire House Committee Substitute #2 Favorable 6/26/08, and substitute the attached Proposed Conference Committee Substitute S488-PCCS85493-LB-5.

The House agrees to the same.

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

Date Conferees approved report: July 10, 2008.

*Conferees for the Senate*           *Conferees for the House of Representatives*

S/Eleanor Kinnaird, Chair	S/Verla Insko, Chair
S/Malcolm Graham	S/Bill Faison
S/Daniel G. Clodfelter	S/Melanie Wade Goodwin

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The text of the attached Proposed Conference Committee Substitute S488-PCCS85493-LB-5 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 2-7 of the Charter of the Town of Carrboro, being Chapter 476 of the 1987 Session Laws, as added by Section 2 of Chapter 660 of the 1993 Session Laws, is repealed.

**SECTION 2.** Article 2 of the Charter of the Town of Carrboro, being Chapter 476 of the 1987 Session Laws, is amended by adding the following section to read:

"Section 2-8. **Limitation on contributions.** (a) Except as provided by G.S. 163-278.13(c), the town may by ordinance limit the amount of contributions which any individual, person, or political committee may contribute to any candidate for town office. The ordinance may not set a limitation which has a dollar amount greater than the dollar amount set in the general law which would apply to elective office in the town. The ordinance may not set a limitation lower than two hundred fifty dollars (\$250.00) per election.

(b) An ordinance setting a limitation for the 2009 regular town election may be adopted at any time after this section becomes law, but expires 60 days prior to opening of filing for the 2011 regular town election, except that such expiration does not make lawful any contribution received before that date in excess of the limitation.

(c) An extension or reenactment of such ordinance, with or without a change of the amount of the limitation may be adopted no earlier than 150 days prior to opening of filing of the 2011 regular town election and no later than 60 days prior to opening of filing for the 2011 regular town election, and expires 60 days prior to opening of filing for the 2013 regular town election, except that such expiration does not make lawful any contribution received before that date in excess of the limitation.

(d) For each subsequent biennial town election, the rule in subsection (c) of this section applies by adding increments of two years to the dates set in that subsection.

(e) The limitations set under this section also apply to any special election to fill a vacancy under Section 2-2 of this Charter held at a date other than a regular town election.

"Section 2-9. **Definitions.** The definitions in Article 22A of Chapter 163 of the General Statutes apply to Section 2-8 of this Charter. As used in Section 2-8, "candidate" also means a political committee authorized by the candidate for that candidate's election."

**SECTION 3.** Section 35(b) of Session Law 2007-391 is repealed.

**SECTION 4.** This act is effective when it becomes law.

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The Conference Report is placed on the Calendar for Monday, July 14, for adoption.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.B. 2623** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION.

Referred to the **Appropriations/Base Budget Committee**.

### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator East for the **State & Local Government Committee**:

**H.B. 2779** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10496, is adopted and engrossed.

By Senator Rand for the **Rules and Operations of the Senate Committee**:

**H.B. 2432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL, with a favorable report.

**H.B. 2785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60550, which changes the title upon concurrence to read **H.B. 2785** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE

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TO ACQUIRE LOCKS AND DAMS ONE, TWO, AND THREE ON THE CAPE FEAR RIVER FROM THE UNITED STATES, is adopted and engrossed.

By Senator Soles for the **Commerce, Small Business and Entrepreneurship Committee**:

**H.B. 1134** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10495, is adopted and engrossed.

Upon motion of Senator Soles, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

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

**S.B. 2064** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES, with a favorable report.

**H.B. 2167** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, with a favorable report.

**H.B. 2267**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES, with a favorable report.

July 10, 2008

**H.B. 1889** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND AND TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10497, is adopted and engrossed.

**H.B. 2509** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60551, is adopted and engrossed.

**H.B. 2530** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A TAX CREDIT TO CONTRIBUTORS TO UNITS OF STATE AND LOCAL GOVERNMENTS FOR RENEWABLE ENERGY PROPERTY, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51057, which changes the title upon concurrence to read **H.B. 2530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS, is adopted and engrossed.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 10, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 15** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

July 10, 2008

Pursuant to your message that you have adopted the report of the Conferees, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 10, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 545** (Conference Report), A BILL TO BE ENTITLED AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

July 10, 2008

Pursuant to your message that you have adopted the report of the Conferees, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 942** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES THAT WOULD RESTRICT DISTRIBUTION OF NEWSPAPERS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Monday, July 14, for concurrence.

**S.B. 1787** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Monday, July 14, for concurrence.

**H.B. 2316**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR ALL TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:38 P.M.

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July 10, 2008

**ONE HUNDRED FORTY-NINTH DAY**

Senate Chamber  
Monday, July 14, 2008

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

Prayer is offered by The Honorable Steve Goss, Senator from Watauga County as follows:

"God of heaven and earth, your dominion over all things that exists is far beyond our understanding. Yet through your immeasurable love, we are never without the knowledge of your presence. Lord, you are omnipotent, omnipresent, omniscient in all things of the universe and beyond. We know you most simply through the childlike faith of trusting you to love us unconditionally. May we do the same for our fellow human beings. Amen."

The Chair grants leaves of absence for tonight to Senator Berger of Rockingham, Senator Cowell, Senator Dorsett, Senator Nesbitt, Senator Queen and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, July 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Warner Hall, Jr., from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Betsy Gidley from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 175**, AN ACT TO ENACT THE INTERSTATE WILDLIFE VIOLATOR COMPACT IN NORTH CAROLINA.

**S.B. 944**, AN ACT TO MAKE LEAVING THE SCENE OF AN ACCIDENT WHERE A PERSON SUFFERS SERIOUS BODILY INJURY A CLASS F FELONY AND TO PROVIDE THAT THEFT OF FIXTURES ATTACHED TO REAL PROPERTY IS LARCENY.

July 14, 2008

**S.B. 1339**, AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID.

**S.B. 1716**, AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING AND TO CLARIFY THAT THE SERVICE AREA OF A CITY INCLUDES ANY AREA SUBSEQUENTLY ANNEXED BY THAT CITY.

**S.B. 1766**, AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

**S.B. 1924**, AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

**S.B. 1946**, AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE.

July 14, 2008



**S.B. 2015**, AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS.

**H.B. 15**, AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES.

**H.B. 545**, AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

**H.B. 2410**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

**H.B. 2496**, AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

July 14, 2008

**H.B. 2728**, AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, AND CONCERNING COMPENSATION OF EMPLOYEES IN THE INVESTMENT DIVISION.

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

**H.B. 2634**, AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN CASWELL COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE.

**H.J.R. 2075**, A JOINT RESOLUTION HONORING THOSE WHO HAVE CONTRIBUTED TO THE SUCCESS OF THE REIDSVILLE HIGH SCHOOL FOOTBALL PROGRAM. (Res. 27)

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1598**, AN ACT TO AUTHORIZE THE COUNTY OF NEW HANOVER, THE CITIES OF LOCUST AND WILMINGTON, THE TOWNS OF BEULAVILLE, BUTNER, ERWIN, HOBGOOD, MAYODAN, MOUNT OLIVE, OAKBORO, ORIENTAL, PINEVILLE, AND THE VILLAGE OF PINEHURST TO REGULATE GOLF CARTS. (Became law upon ratification, July 10, 2008 - S.L. 2008-71.)

**H.B. 2162**, AN ACT TO AUTHORIZE RICHMOND COMMUNITY COLLEGE TO ENTER INTO A COLLABORATIVE AGREEMENT WITH THE CITY OF LAURINBURG. (Became law upon ratification, July 10, 2008 - S.L. 2008-72.)

**H.B. 2376**, AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO REPURCHASE A PERFORMING ARTS FACILITY PREVIOUSLY OWNED BY THAT CITY. (Became law upon ratification, July 10, 2008 - S.L. 2008-73.)

**H.B. 2414**, AN ACT TO ANNEX CERTAIN DESCRIBED PORTIONS OF FORT BRAGG TO THE CITY OF FAYETTEVILLE OR THE TOWN OF SPRING LAKE. (Became law upon ratification, July 10, 2008 - S.L. 2008-74.)

July 14, 2008

**H.B. 2579**, AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICT. (Became law upon ratification, July 10, 2008 - S.L. 2008-75.)

**H.B. 2580**, AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES. (Became law upon ratification, July 10, 2008 - S.L. 2008-76.)

**H.B. 2640**, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO CONCLUDE THE SALE AND CONVEYANCE OF REAL PROPERTY. (Became law upon ratification, July 10, 2008 - S.L. 2008-77.)

**H.B. 2666**, AN ACT TO AUTHORIZE HOSPITAL POLICE OFFICERS IN ASHE COUNTY CERTIFIED PURSUANT TO CHAPTER 74E OF THE GENERAL STATUTES TO DIRECT TRAFFIC ON STREETS AND HIGHWAYS ADJACENT TO THE HOSPITAL AND HOSPITAL HELIPAD IN ORDER TO FACILITATE HELICOPTER TRAFFIC. (Became law upon ratification, July 10, 2008 - S.L. 2008-78.)

**H.B. 2771**, AN ACT TO PROVIDE THAT THE SHERIFF OF MARTIN COUNTY AND THE SHERIFF'S LAWFUL DEPUTIES HAVE JURISDICTION TO SERVE CIVIL AND CRIMINAL PROCESS ON INMATES WHO ARE IN THE CUSTODY OF AND ON PREMISES OF THE BERTIE-MARTIN REGIONAL JAIL. (Became law upon ratification, July 10, 2008 - S.L. 2008-79.)

**H.B. 2364**, AN ACT TO AUTHORIZE THE ENCROACHMENT OF AIR SPACE ABOVE STATE ROAD 1100, RIVER ROAD, IN THE CITY OF WILMINGTON FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-80.)

**H.B. 2529**, AN ACT TO EXTEND THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-81.)

**H.B. 2748**, AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-82.)

July 14, 2008

**H.B. 2523**, AN ACT TO AUTHORIZE A SILVER ALERT TO BE ISSUED FOR A PERSON OF ANY AGE, TO AUTHORIZE THE PRODUCTION OF AN EDUCATIONAL VIDEO, AND TO STUDY THE TRAINING NEEDS OF THE JUDICIAL SYSTEM IN RESPONDING TO PERSONS WITH AUTISM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-83.)

**S.B. 1825**, AN ACT TO REQUIRE THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE TO REPORT ANNUALLY AND TO MEET BIANNUALLY. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-84.)

**H.B. 2127**, AN ACT TO REPEAL THE LAW ESTABLISHING REGIONAL INTERAGENCY COORDINATING COUNCILS UNDER THE LAWS RELATING TO EARLY INTERVENTION SERVICES FOR CHILDREN FROM BIRTH TO FIVE YEARS OF AGE WITH DISABILITIES, SO AS TO SAVE FUNDS AND AVOID DUPLICATION. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-85.)

**H.B. 2360**, AN ACT TO PERMIT NATIONAL BOARD CERTIFIED TEACHERS TO SERVE AS FULL-TIME MENTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-86.)

**H.B. 2390**, AN ACT TO RAISE THE CEILING ON THE TOTAL AMOUNT OF PERSONAL PROPERTY A GUARDIAN IS ALLOWED TO SELL WITHOUT A COURT ORDER UNDER THE LAWS PERTAINING TO GUARDIANSHIP, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON STATE GUARDIANSHIP LAWS AND THE STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-87.)

**H.B. 2524**, AN ACT TO DISAPPROVE A RULE ADOPTED BY THE NORTH CAROLINA BOARD OF AGRICULTURE AND APPROVED BY THE RULES REVIEW COMMISSION, TO REQUIRE THAT ANY RAW MILK DISPENSED AS ANIMAL FEED BE PROPERLY LABELED, AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO EXEMPT UNPASTEURIZED MILK FROM THE PROVISIONS OF THE COMMERCIAL FEED ACT. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-88.)

**S.B. 236**, AN ACT TO AMEND THE PROFESSIONAL HOUSEMOVING STATUTES CONTAINED IN ARTICLE 16 OF CHAPTER 20 OF THE GENERAL STATUTES. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-89.)

July 14, 2008

**H.B. 12**, AN ACT TO AMEND THE DEFINITION OF "EDUCATIONAL SERVICES" FOR STUDENTS WITH DISABILITIES; TO AMEND THE LAW TO ALLOW A DESIGNEE OR DESIGNEES OF A STUDENT'S IEP TEAM TO EVALUATE THE CONTINUED APPROPRIATENESS OF HOMEBOUND INSTRUCTION FOR DISCIPLINE PURPOSES FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE; TO ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES; AND TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION TO REPORT ON CONTESTED CASES BASED ON THE ADDITIONAL PROTECTION. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-90.)

**H.B. 133**, AN ACT TO EXEMPT THE USE OF ALL-TERRAIN VEHICLES FOR BEACH DRIVING FROM THE REQUIREMENTS OF ALL-TERRAIN VEHICLE REGULATION. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-91.)

**S.B. 1687**, AN ACT TO DIRECT THE NORTH CAROLINA PUBLIC HEALTH INCUBATOR PROGRAM TO REPORT ANNUALLY TO THE PUBLIC HEALTH STUDY COMMISSION, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-92.)

**H.B. 44**, AN ACT TO STRENGTHEN THE LAW RELATED TO VIOLATIONS OF DOMESTIC VIOLENCE PROTECTIVE ORDERS BY INCREASING THE PENALTY FOR REPEAT OFFENDERS AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-93.)

**H.B. 1304**, AN ACT TO AUTHORIZE USE OF REMAINING END-OF-YEAR TUITION ASSISTANCE PROGRAM FUNDS FOR REPAYMENT OF OUTSTANDING ELIGIBLE STUDENT LOANS FOR MEMBERS OF THE NORTH CAROLINA NATIONAL GUARD. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-94.)

**S.B. 1669**, AN ACT TO CLARIFY THE AUTHORITY OF AND PROVIDE GUIDANCE TO LOCAL COMMUNITY COLLEGE BOARDS OF TRUSTEES IN ADOPTING WRITTEN POLICIES PROHIBITING THE USE OF TOBACCO PRODUCTS IN BUILDINGS, ON COMMUNITY COLLEGE CAMPUSES, AT COMMUNITY COLLEGE-SPONSORED EVENTS, AND IN OR ON OTHER COMMUNITY COLLEGE PROPERTY, AS

July 14, 2008

RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE. (Became law upon approval of the Governor, July 11, 2008 - S.L. 2008-95.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 2353** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10498, is adopted and engrossed.

### CALENDAR

Bills on tonight's Calendar are taken up and disposed of, as follows:

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 15.

**H.B. 2432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL.

Upon motion of Senator Rand, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 15.

**H.B. 887** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING.

Upon motion of Senator Rand, the Conference Report is withdrawn from tonight's Calendar and is returned to Conference Committee.

July 14, 2008

**WITHDRAWAL FROM COMMITTEE**

**S.J.R. 2171**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD M. "ED" O'HERRON, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on Thursday, July 10.

Pursuant to Rule 47(a), Senator Rand offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Tuesday, July 15, which motion prevails with unanimous consent.

The Chair orders the joint resolution withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Tuesday, July 15.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 14, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 488** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**CALENDAR** (*continued*)

**H.B. 2167** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND

July 14, 2008

NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, upon second reading.

Upon motion of Senator Jenkins, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 15.

**S.B. 942** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES THAT WOULD RESTRICT DISTRIBUTION OF NEWSPAPERS.

Upon motion of Senator Dalton, the House Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 15.

**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Upon motion of Senator Atwater, the Committee Substitute bill is withdrawn from tonight's Calendar and is placed on the Calendar for Tuesday, July 15.

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**H.B. 2267**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, July 15, upon third reading.

**H.B. 472** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MOVE ELECTIONS FOR THE TOWN OF ROPER TO THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2093** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ADD THE TOWNS OF LOWELL AND MANTEO TO THE LIST OF CITIES WHERE MUNICIPAL EMPLOYEES MAY USE ALL-TERRAIN VEHICLES ON HIGHWAYS WITH POSTED SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS.

The Committee Substitute bill No. 2 passes its second and third readings and is ordered enrolled.

**H.B. 2488** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 2760**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN STOKES COUNTY.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2779** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY.

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The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2784** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING INVESTMENTS OF THE CITY OF FAYETTEVILLE AND THE PUBLIC WORKS COMMISSION OF FAYETTEVILLE.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

**H.B. 2785** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO ACQUIRE LOCKS AND DAMS ONE, TWO, AND THREE ON THE CAPE FEAR RIVER FROM THE UNITED STATES.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS.

Upon motion of Senator Clodfelter, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**S.B. 488** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION, for adoption.

Upon motion of Senator Kinnaird, the Senate adopts the Conference Report (34-10).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

Pursuant to the House having adopted the Conference Report for S.B. 488, the President orders the bill enrolled.

**H.B. 1770** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS AND TO ALLOW SPECIAL ASSESSMENTS TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS, upon third reading.

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The Senate Committee Substitute bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 2064** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE OPEN GOVERNMENT UNIT OF THE DEPARTMENT OF JUSTICE, TO ESTABLISH A FEE FOR SERVICES OF MODERATION AND MEDIATION BY THE OPEN GOVERNMENT UNIT, AND TO PROVIDE THAT THE SUCCESSFUL PLAINTIFF IN A PUBLIC RECORDS DISPUTE IS ENTITLED TO REASONABLE ATTORNEYS' FEES.

Senator Brunstetter offers Amendment No. 1 which is adopted (44-0).

The Committee Substitute bill, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 2720** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO GIVE PREFERENCE TO NEW PASSENGER MOTOR VEHICLES THAT HAVE A FUEL ECONOMY THAT IS IN THE TOP FIFTY PERCENT OF THAT CLASS OF COMPARABLE AUTOMOBILES FOR PASSENGER MOTOR VEHICLES PURCHASED BY THE STATE.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**H.B. 1889** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND AND TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT.

Senator Hoyle offers Amendment No. 1 which is adopted (44-0), and changes the title to read **H.B. 1889** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND, TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT, AND TO PROVIDE A PROPERTY TAX EXEMPTION FOR LEASEHOLD INTEREST IN CERTAIN EXEMPTED PROPERTY.

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The Senate Committee Substitute bill, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM.

Senator Clodfelter offers Amendment No. 1 which is adopted (44-0), and changes the title to read **H.B. 2313** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE.

The Senate Committee Substitute bill, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**H.B. 2314** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Senator Rand offers Amendment No. 1 which is adopted (44-0), and changes the title to read **H.B. 2314** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO EXPAND THE AUTHORITY OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO LOCATE AND ACQUIRE RIGHT-OF-WAY FOR THE LOCATION, ABOVE OR BELOW GROUND, OR FIBER OPTIC CABLE.

The Senate Committee Substitute bill, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

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**H.B. 2509** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMI-ANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

The Senate Committee Substitute bill passes its second (43-1) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**S.B. 1314** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY, for concurrence upon third reading.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1340** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES, for concurrence upon third reading.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill No. 2 on its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

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The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

**S.B. 1704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS, for concurrence upon third reading.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1736** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS, for concurrence upon third reading.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, East, Foriest, Forrester, Garrou,

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Goodall, Goss, Graham, Hagan, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 180** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES.

Upon motion of Senator Rand, the Senate fails to concur in the House Committee Substitute bill (0-44).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1787** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1860** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Upon motion of Senator Allran, the Senate concurs in the House Committee Substitute bill (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

### SENATE PAGES

The Chair recognizes the following pages serving in the Senate this week:

Kaylee Baker, Aberdeen; Kaitlyn Baker, Denton; Chase Brame, Stokesdale; Anna-Margaret Brown, Raleigh; Chandler Caldwell, Gastonia; Lauren Calloway, Cary; Albert Chang, Harrisburg; Rachel Dickey, Murphy; Dylan Eagle, Faith; Quenton Greene, Albemarle; Stephen Ingram, Raleigh; Matt James, Raleigh; Marilouise Jones, Raleigh; Damond Kelly, Albemarle; Chris Kimsey, High Point; Stephen Kimsey, High Point; Kelly Mansfield, Newport; Craig Meadors, Lewisville; Donavon Merchant, Thomasville; Hillary Poston, Morehead City; Reid Soles, Greensboro; Julius Stegall, II, Zebulon; Eli Turlington III, Clinton; and Eldon Zacek III, Concord.

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Upon motion of Senator Basnight, seconded by Senator Snow, the Senate adjourns subject to receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Tuesday, July 15, at 3:00 P.M.

### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 1977** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF LELAND AND SPENCER TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION, for concurrence in the House Committee Substitute bill.

Referred to the **Finance Committee**.

### **CONFERENCE REPORT**

Senator Graham, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 274** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT", submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 274, A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT.", Senate Rules and Operations of the Senate Committee Substitute Adopted 5/20/08, submit the following report:

The Senate and the House agree to the following amendment to the Senate Rules and Operations of the Senate Committee Substitute Adopted 5/20/08, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Rules and Operations of the Senate Committee Substitute Adopted 5/20/08, and substitute the attached Proposed Conference Committee Substitute H274-PCCS51062-RV-2.

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

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Date Conferees approved report: July 14, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/Malcolm Graham, Chair  
S/Julia Boseman  
S/Daniel G. Clodfelter  
S/Fletcher L. Hartsell, Jr.  
S/Vernon Malone  
S/Floyd B. McKissick, Jr.  
Martin L. Nesbitt, Jr.  
S/Tony Rand  
S/John Snow

S/Henry M. Michaux, Jr., Chair  
S/Phillip Frye  
S/R. Tracy Walker  
S/Dan Blue  
S/Tricia Ann Cotham  
S/William A. Current, Sr.  
S/Becky Carney  
S/Larry D. Hall  
S/Ronnie Sutton

The text of the attached Proposed Conference Committee Substitute H274-PCCS51062-RV-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-2.3 reads as rewritten:

"**§ 14-2.3. Forfeiture of gain acquired through felonies.**~~criminal activity.~~

(a) Except as is otherwise provided in Article 3 of Chapter 31A, in the case of any violation of Article 13A of Chapter 14, or a general statute constituting a felony other than a nonwillful homicide, any money or other property or interest in property acquired thereby shall be forfeited to the State of North Carolina, including any profits, gain, remuneration, or compensation directly or indirectly collected by or accruing to any felon-offender.

(b) An action to recover such property shall be brought by either a District Attorney or the Attorney General pursuant to G.S. 1-532. The action must be brought within three years from the date of the conviction for the ~~felony offense.~~

(c) Nothing in this section shall be construed to require forfeiture of any money or property recovered by law-enforcement officers pursuant to the investigation of ~~a felony~~ an offense when the money or property is readily identifiable by the owner or guardian of the property or is traceable to him."

**SECTION 2.** Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-34.9. Discharging a firearm from within an enclosure.**

Unless covered under some other provision of law providing greater punishment, any person who willfully or wantonly discharges or attempts to discharge a firearm, as a part of a pattern of criminal street gang activity, from within any building, structure, motor vehicle, or other conveyance, erection, or

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enclosure toward a person or persons not within that enclosure shall be punished as a Class E felon."

**SECTION 3.** Chapter 14 of the General Statutes is amended by adding a new Article to read:

"Article 13A.

"North Carolina Street Gang Suppression Act.

**"§ 14-50.15. Short title.**

This Article shall be known and may be cited as the 'North Carolina Street Gang Suppression Act.'

**"§ 14-50.16. Pattern of criminal street gang activity.**

(a) It is unlawful for any person employed by or associated with a criminal street gang to do either of the following:

(1) To conduct or participate in a pattern of criminal street gang activity.

(2) To acquire or maintain any interest in or control of any real or personal property through a pattern of criminal street gang activity.

A violation of this section is a Class H felony, except that a person who violates subdivision (a)(1) of this section, and is an organizer, supervisor, or acts in any other position of management with regard to the criminal street gang, shall be guilty of a Class F felony.

(b) As used in this Article, 'criminal street gang' or 'street gang' means any ongoing organization, association, or group of three or more persons, whether formal or informal, that:

(1) Has as one of its primary activities the commission of one or more felony offenses, or delinquent acts that would be felonies if committed by an adult;

(2) Has three or more members individually or collectively engaged in, or who have engaged in, criminal street gang activity; and

(3) May have a common name, common identifying sign or symbol.

(c) As used in this Article, 'criminal street gang activity' means to commit, to attempt to commit, or to solicit, coerce, or intimidate another person to commit an act or acts, with the specific intent that such act or acts were intended or committed for the purpose, or in furtherance, of the person's involvement in a criminal street gang or street gang. An act or acts are included if accompanied by the necessary mens rea or criminal intent and would be chargeable by indictment under the following laws of this State:

(1) Any offense under Article 5 of Chapter 90 of the General Statutes (Controlled Substances Act).

(2) Any offense under Chapter 14 of the General Statutes except Articles 9, 22A, 40, 46, 47, 59 thereof; and further excepting G.S. 14-78.1, 14-82, 14-86, 14-145, 14-179, 14-183, 14-184, 14-186, 14-190.9, 14-195, 14-197, 14-201, 14-247, 14-248, 14-313 thereof.

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(d) As used in this Article, 'pattern of criminal street gang activity' means engaging in, and having a conviction for, at least two prior incidents of criminal street gang activity, that have the same or similar purposes, results, accomplices, victims, or methods of commission or otherwise are interrelated by common characteristics and are not isolated and unrelated incidents, provided that at least one of these offenses occurred after December 1, 2008, and the last of the offenses occurred within three years, excluding any periods of imprisonment, of prior criminal street gang activity. Any offenses committed by a defendant prior to indictment for an offense based upon a pattern of street gang activity shall not be used as the basis for any subsequent indictments for offenses involving a pattern of street gang activity.

**"§ 14-50.17. Soliciting; encouraging participation.**

(a) It is unlawful for any person to cause, encourage, solicit, or coerce a person 16 years of age or older to participate in criminal street gang activity.

(b) A violation of this section is a Class H felony.

**"§ 14-50.18. Soliciting; encouraging participation; minor.**

(a) It is unlawful for any person to cause, encourage, solicit, or coerce a person under 16 years of age to participate in criminal street gang activity.

(b) A violation of this section is a Class F felony.

(c) Nothing in this section shall preclude a person who commits a violation of this section from criminal culpability for the underlying offense committed by the minor under any other provision of law.

**"§ 14-50.19. Threats to deter from gang withdrawal.**

(a) It is unlawful for any person to communicate a threat of injury to a person, or to damage the property of another, with the intent to deter a person from assisting another to withdraw from membership in a criminal street gang.

(b) A violation of this section is a Class H felony.

**"§ 14-50.20. Threats of punishment or retaliation.**

(a) It is unlawful for any person to communicate a threat of injury to a person, or to damage the property of another, as punishment or retaliation against a person for having withdrawn from a criminal street gang.

(b) A violation of this section is a Class H felony.

**"§ 14-50.21. Separate offense.**

Any offense committed in violation of G.S. 14-50.16 through G.S. 14-50.20 shall be considered a separate offense.

**"§ 14-50.22. Enhanced offense for criminal gang activity.**

A person age 15 or older who is convicted of a misdemeanor offense that is committed for the benefit of, at the direction of, or in association with, any criminal street gang is guilty of an offense that is one class higher than the offense committed. A Class A1 misdemeanor shall be enhanced to a Class I felony under this section.

**"§ 14-50.23. Contraband, seizure, and forfeiture.**

(a) All property of every kind used or intended for use in the course of, derived from, or realized through criminal street gang activity or a pattern of criminal street gang activity is subject to the seizure and forfeiture provisions of G.S. 14-2.3.

(b) In any action under this section, the court may enter a restraining order in connection with any interest that is subject to forfeiture.

(c) Innocent Activities. – The provisions of this section shall not apply to property used for criminal street gang activity where the owner or person who has legal possession of the property does not have actual knowledge that the property is being used for criminal street gang activity.

**"§ 14-50.24. Real property used by criminal street gangs declared a public nuisance; abatement.**

(a) Public Nuisance. – Any real property that is erected, established, maintained, owned, leased, or used by any criminal street gang for the purpose of conducting criminal street gang activity shall constitute a public nuisance and may be abated as provided by Article 1 of Chapter 19 of the General Statutes.

(b) Innocent Activities. – The provisions of this section shall not apply to real property used for criminal street gang activity where the owner or person who has legal possession of the real property does not have actual knowledge that the real property is being used for criminal street gang activity.

**"§ 14-50.25. Reports of disposition; criminal street gang activity.**

When a defendant is found guilty of a criminal offense, other than an offense under G.S. 14-50.16 through G.S. 14-50.20, the presiding judge shall determine whether the offense involved criminal street gang activity. If the judge so determines, then the judge shall indicate on the form reflecting the judgment that the offense involved criminal street gang activity. The clerk of court shall ensure that the official record of the defendant's conviction includes a notation of the court's determination.

**"§ 14-50.26. Matters proved in criminal trial court.**

A conviction of an offense defined as criminal gang activity shall preclude the defendant from contesting any factual matters determined in the criminal proceeding in any subsequent civil action or proceeding based on the same conduct.

**"§ 14-50.27. Local ordinances not preempted by State law.**

Nothing in this Article shall prevent a local governing body from adopting and enforcing ordinances relating to gangs and gang violence that are consistent with this Article. Where local laws duplicate or supplement the provisions of this Article, this Article shall be construed as providing alternative remedies and not as preempting the field.

**"§ 14-50.28. Applicability to juveniles under the age of 16.**

Except as provided in G.S. 14-50.22, 14-50.29, and 14-50.30, the provisions of this Article shall not apply to juveniles under the age of 16.

**"§ 14-50.29. Conditional discharge for first offenders under the age of 18.**

(a) Whenever any person who has not yet attained the age of 18 years, and has not previously been convicted of any felony or misdemeanor other than a traffic violation under the laws of the United States or the laws of this State or any other state, pleads guilty to or is guilty of (i) a Class H felony under this Article or (ii) an enhanced offense under G.S. 14-50.22, the court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place the defendant on probation upon such reasonable terms and conditions as the court may require.

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(b) If the court, in its discretion, defers proceedings pursuant to this section, it shall place the defendant on supervised probation for not less than one year, in addition to any other conditions. Prior to taking any action to discharge and dismiss under this section, the court shall make a finding that the defendant has no previous criminal convictions. Upon fulfillment of the terms and conditions of the probation provided for in this section, the court shall discharge the defendant and dismiss the proceedings against the defendant.

(c) Discharge and dismissal under this section shall be without court adjudication of guilt and shall not be deemed a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime. Discharge and dismissal under this section may occur only once with respect to any person. Disposition of a case to determine discharge and dismissal under this section at the district court division of the General Court of Justice shall be final for the purpose of appeal. Upon violation of a term or condition of the probation provided for in this section, the court may enter an adjudication of guilt and proceed as otherwise provided.

(d) Upon discharge and dismissal pursuant to this section, the person may apply for an order to expunge the complete record of the proceedings resulting in the dismissal and discharge, pursuant to the procedures and requirements set forth in G.S. 14-50.30(a). If the court determines, after hearing, that such person was dismissed and the proceedings against the person discharged and that the person had not yet attained 18 years of age at the time of the offense, it shall enter such order. The effect of such order shall be to restore such person in the contemplation of the law to the status the person occupied before such arrest or indictment or information.

(e) The clerk of superior court in each county in North Carolina shall, as soon as practicable after each term of court in his county, file with the Administrative Office of the Courts the names of those persons granted a discharge under the provisions of this section, and the Administrative Office of the Courts shall maintain a confidential file containing the names of persons granted conditional discharges. The information contained in such file shall be disclosed only to judges of the General Court of Justice of North Carolina for the purpose of ascertaining whether any person charged with an offense has been previously granted a discharge.

**"§ 14-50.30. Expunction of records.**

(a) Whenever any person who has not yet attained the age of 18 years and has not previously been convicted of any felony or misdemeanor other than a traffic violation under the laws of the United States or the laws of this State or any other state, pleads guilty to or is guilty of (i) a Class H felony under this Article or (ii) an enhanced offense under G.S. 14-50.22, the person may file a petition in the court where the person was convicted for expunction of the offense from the person's criminal record. Except as provided in G.S. 14-50.29 upon discharge and dismissal, the petition cannot be filed earlier than (i) two years after the date of the conviction or (ii) the completion of any period of probation, whichever occurs later. The petition shall contain, but not be limited to, the following:

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- (1) An affidavit by the petitioner that the petitioner has been of good behavior (i) during the period of probation since the decision to defer further proceedings on the offense in question pursuant to G.S. 14-50.29 or (ii) during the two-year period since the date of conviction of the offense in question, whichever applies, and has not been convicted of any felony, or misdemeanor other than a traffic violation, under the laws of the United States or the laws of this State or any other state.
- (2) Verified affidavits of two persons who are not related to the petitioner or to each other by blood or marriage, that they know the character and reputation of the petitioner in the community in which the petitioner lives, and that the petitioner's character and reputation are good.
- (3) If the petition is filed subsequent to conviction of the offense in question, a statement that the petition is a motion in the cause in the case wherein the petitioner was convicted.
- (4) Affidavits of the clerk of superior court, chief of police, where appropriate, and sheriff of the county in which the petitioner was convicted and, if different, the county of which the petitioner is a resident, showing that the petitioner has not been convicted of a felony or misdemeanor other than a traffic violation under the laws of this State (i) during the period of probation since the decision to defer further proceedings on the offense in question pursuant to G.S. 14-50.29 or (ii) at any time prior to the conviction for the offense in question or during the two-year period following that conviction, whichever applies.
- (5) An affidavit by the petitioner that no restitution orders or civil judgments representing amounts ordered for restitution entered against the petitioner are outstanding.

The petition shall be served upon the district attorney of the court wherein the case was tried resulting in conviction. The district attorney shall have 10 days thereafter in which to file any objection thereto and shall be duly notified as to the date of the hearing of the petition.

The judge to whom the petition is presented is authorized to call upon a probation officer for any additional investigation or verification of the petitioner's conduct during the probationary period or during the two-year period after conviction.

(b) If the court, after hearing, finds that the petitioner has remained of good behavior and been free of conviction of any felony or misdemeanor, other than a traffic violation, for two years from the date of conviction of the offense in question, the petitioner has no outstanding restitution orders or civil judgments representing amounts ordered for restitution entered against him, and

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the petitioner had not attained the age of 18 years at the time of the conviction in question, it shall order that such person be restored, in the contemplation of the law, to the status occupied by the petitioner before such arrest or indictment or information. No person as to whom such order has been entered shall be held thereafter under any provision of any laws to be guilty of perjury or otherwise giving a false statement by reason of the person's failure to recite or acknowledge such arrest, or indictment, information, or trial, or response to any inquiry made of the person for any purpose. The court shall also order that the said conviction be expunged from the records of the court, and direct all law enforcement agencies bearing record of the same to expunge their records of the conviction as the result of a criminal charge. The clerk shall forward a certified copy of the order to the sheriff, chief of police, or other arresting agency. The sheriff, chief, or head of such other arresting agency shall then transmit the copy of the order with a form supplied by the State Bureau of Investigation to the State Bureau of Investigation, and the State Bureau of Investigation shall forward the order to the Federal Bureau of Investigation.

(c) This section is supplemental and in addition to existing law and shall not be construed so as to repeal any existing provision contained in the General Statutes of North Carolina."

**SECTION 4.** G.S. 15A-533 reads as rewritten:

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

...

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

- (1) There is reasonable cause to believe that the person committed an offense involving trafficking in a controlled substance;
- (2) The drug trafficking offense was committed while the person was on pretrial release for another offense; and
- (3) The person has been previously convicted of a Class A through E felony or an offense involving trafficking in a controlled substance and not more than five years has elapsed since the date of conviction or the person's release from prison for the offense, whichever is later.

(e) There shall be a rebuttable presumption that no condition of release will reasonably assure the appearance of the person as required and the safety of the community, if a judicial official finds the following:

- (1) There is reasonable cause to believe that the person committed an offense for the benefit of, at the direction of, or in association with, any criminal street gang, as defined in G.S. 14-50.16;
- (2) The offense described in subdivision (1) of this subsection was committed while the person was on pretrial release for another offense; and

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- (3) The person has been previously convicted of an offense described in G.S. 14-50.16 through G.S. 14-50.20, and not more than five years has elapsed since the date of conviction or the person's release for the offense, whichever is later.

~~Such person~~ Persons who are considered for bond under the provisions of subsections (d) and (e) of this section may only be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the community."

**SECTION 5.** G.S. 15A-1340.16A reads as rewritten:

**"§ 15A-1340.16A. Enhanced sentence if defendant is convicted of a Class A, B1, B2, C, D, or E felony and the defendant used, displayed, or threatened to use or display a firearm or deadly weapon during the commission of the felony.**

(a), (b) Repealed by Session Laws 2003-378, s. 2, effective August 1, 2003.

(c) If a person is convicted of a Class A, B1, B2, C, D, or E felony and it is found as provided in this section that: (i) the person committed the felony by using, displaying, or threatening the use or display of a firearm or deadly weapon and (ii) the person actually possessed the firearm or deadly weapon about his or her person, then the person shall have the minimum term of imprisonment to which the person is sentenced for that felony increased by 60 months. The maximum term of imprisonment shall be the maximum term that corresponds to the minimum term after it is increased by 60 months, as specified in G.S. 15A-1340.17(e) and (e1).

(d) An indictment or information for the Class A, B1, B2, C, D, or E felony shall allege in that indictment or information the facts set out in subsection (c) of this section. The pleading is sufficient if it alleges that the defendant committed the felony by using, displaying, or threatening the use or display of a firearm or deadly weapon and the defendant actually possessed the firearm or deadly weapon about the defendant's person. One pleading is sufficient for all Class A, B1, B2, C, D, or E felonies that are tried at a single trial.

(e) The State shall prove the issues set out in subsection (c) of this section beyond a reasonable doubt during the same trial in which the defendant is tried for the felony unless the defendant pleads guilty or no contest to the issues. If the defendant pleads guilty or no contest to the felony but pleads not guilty to the issues set out in subsection (c) of this section, then a jury shall be impaneled to determine the issues.

(f) Subsection (c) of this section does not apply if the evidence of the use, display, or threatened use or display of the firearm or deadly weapon is needed to prove an element of the felony or if the person is not sentenced to an active term of imprisonment."

**SECTION 6.** This act becomes effective December 1, 2008, and applies to offenses committed on or after that date.

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The Conference Report is placed on the Calendar for Tuesday, July 15, for adoption.

### CONFERENCE REPORT

Senator Berger of Franklin, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1366** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1366, A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, Senate Judiciary II (Criminal) Committee Substitute Adopted 7/31/07 Corrected Copy 8/1/07, submit the following report:

The House and Senate agree to the following amendments to the Senate Judiciary II (Criminal) Committee Substitute Adopted 7/31/07 Corrected Copy 8/1/07, and the House Concurs in the Senate Judiciary II (Criminal) Committee Substitute Corrected Copy as amended:

On page 1, line 13, by rewriting that line to read:  
"Carolina students; and

              Whereas, to do so, State and national data and anecdotal evidence establish the need to identify the most vulnerable targets and potential victims of bullying and harassment; and

              Whereas, the sole purpose of this law is to protect all children from bullying and harassment and no other legislative purpose is intended nor should any other intent be construed from passage of this law; Now therefore,";

And on page 2, line 7, by rewriting the line to read:

"bullying or harassing behavior.

Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socio-economic status, academic status, masculinity, femininity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.";

And on page 2, line 17, by deleting the date "December 31, 2007," and substituting the date "December 31, 2008,";

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And on page 2, lines 41 and 42, by inserting between those lines the following:

"(c) Nothing in this Article shall prohibit a local school administrative unit from adopting a policy that includes components beyond the minimum components provided in this section or that is more inclusive than the requirements of this Article.";

And by relettering the remaining subsections accordingly;

And on page 3, lines 4-7, by rewriting the lines to read:

"administrative unit shall, by March 1, 2009, provide training on the local policy to school employees and volunteers who have significant contact with students.";

And on page 3, line 27, by rewriting the line to read:

"(f) Nothing in this act shall be construed to create any classification, protected class, suspect category, or";

And on page 3, lines 29-30, by rewriting the lines to read:

**"SECTION 2.** This act is effective when it becomes law and applies, unless otherwise provided in G.S. 115C-407.6 as enacted by Section 1 of this act, beginning with the 2008-2009 school year."

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

Date Conferees approved report: July 14, 2008.

*Conferees for the Senate Conferees for the House of Representatives*

S/Doug Berger, Chair	S/Rick Glazier, Chair
S/Charles W. Albertson	S/Tricia Ann Cotham
S/William R. Purcell	S/Angela R. Bryant
S/Walter H. Dalton	S/W. A. (Winkie) Wilkins
Stan Bingham	S/Cary D. Allred
S/Charlie Smith Dannelly	S/Karen B. Ray
S/Janet Cowell	S/Susan C. Fisher
S/Eleanor Kinnaird	

The Conference Report is placed on the Calendar for Tuesday, July 15, for adoption.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 8:26 P.M.

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**ONE HUNDRED FIFTIETH DAY**

Senate Chamber  
Tuesday, July 15, 2008

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

Prayer is offered by The Reverend Lin Carter, Associate Minister, First Baptist Church, Raleigh, North Carolina as follows:

"Loving God, I spent the morning at Duke hospital with the parents of a four-year-old girl who was having brain surgery. Seeing that mother and father distraught as they anxiously waited and then seeing their relief and their joy when they got the news that the surgery went well puts life in perspective for me today. God, we need perspective. Help us to rightly prioritize our lives and our work. Help us to discern what is truly important and act accordingly. Help us to appreciate what is truly good in our lives. God give us perspective. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Cowell, Senator Hagan, Senator Queen and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, July 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Shirish Devasthali from Fayetteville, North Carolina, who is serving the Senate as Doctor of the Day, and to Barbara Nellis from Williamston, North Carolina and Casey Spear from Edenton, North Carolina, who are serving the Senate as Nurses of the Day.*

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1314**, AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY.

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**S.B. 1340**, AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES.

**S.B. 1704**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

**S.B. 1736**, AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS.

**S.B. 1787**, AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**S.B. 1860**, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

**S.B. 1967**, AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF STORMWATER IN THE COASTAL COUNTIES IN ORDER TO PROTECT WATER QUALITY.

**H.B. 2265**, AN ACT TO EXEMPT BUSES FROM SAFETY INSPECTIONS REQUIRED UNDER MOTOR VEHICLE LAWS IF THEY ARE TITLED TO A LOCAL BOARD OF EDUCATION AND SUBJECT TO SCHOOL BUS INSPECTION REQUIREMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

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**H.B. 2308**, AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**H.B. 2318**, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**H.B. 2443**, AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS.

**H.B. 2768**, AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM.

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

**S.B. 488**, AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION.

**S.B. 2160**, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND.

**H.B. 2093**, AN ACT TO ADD THE TOWNS OF LOWELL AND MANTEO TO THE LIST OF CITIES WHERE MUNICIPAL EMPLOYEES MAY USE ALL-TERRAIN VEHICLES ON HIGHWAYS WITH POSTED SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS.

**H.B. 2155**, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR THE TOWNS OF HOLDEN BEACH AND OAK ISLAND.

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**H.B. 2488**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM.

**H.B. 2760**, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN STOKES COUNTY.

**H.B. 2784**, AN ACT CONCERNING INVESTMENTS OF THE CITY OF FAYETTEVILLE AND THE PUBLIC WORKS COMMISSION OF FAYETTEVILLE.

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 2634**, AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN CASWELL COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE. (Became law upon ratification, July 14, 2008 - S.L. 2008-96.)

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS GOVERNING MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT, TO PROVIDE FOR MANAGEMENT OF DISCARDED TELEVISIONS, TO DELAY THE EFFECTIVE DATE UNTIL 1 JANUARY 2010, AND TO MAKE OTHER CONFORMING AND TECHNICAL CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

**H.B. 2409**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, with a favorable report.

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**H.B. 1230** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10500, which changes the title upon concurrence to read **H.B. 1230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT, is adopted and engrossed.

**H.B. 2570** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MOVEMENT OF TRAILER FRAMES NOT EXCEEDING FOURTEEN FEET IN WIDTH TO ANOTHER LOCATION NO FARTHER THAN THREE MILES AWAY FROM THE POINT OF ORIGIN FOR CONTINUED MANUFACTURING OF THE TRANSFER TRAILER WITH AN ANNUAL PERMIT, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80641, is adopted and engrossed.

**H.B. 964** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTER, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10499, is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1624**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51063, is adopted and engrossed.

### CONFERENCE REPORT

Senator Nesbitt, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 887** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

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CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 887, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING AND TO INCREASE THE PENALTY FOR STALKING, Senate Judiciary I (Civil) Committee Substitute Adopted 6/26/08, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary I (Civil) Committee Substitute Adopted 6/26/08 and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H887-PCCS70807-RK-6.

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

Date Conferees approved report: July 15, 2008.

*Conferees for the Senate*           *Conferees for the House of Representatives*

S/Martin L. Nesbitt, Jr., Chair	S/Laura I. Wiley, Chair
S/Jerry W. Tillman	S/Alice Graham Underhill
S/Julia Boseman	S/James H. Langdon, Jr.
S/Eleanor Kinnaird	S/Deborah K. Ross

The text of the attached Proposed Conference Committee Substitute H887-PCCS70807-RK-6 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF  
STALKING.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-277.3 is repealed.

**SECTION 2.** Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-277.3A. Stalking.**

(a) Legislative Intent. – The General Assembly finds that stalking is a serious problem in this State and nationwide. Stalking involves severe intrusions on the victim's personal privacy and autonomy. It is a crime that causes a long-

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lasting impact on the victim's quality of life and creates risks to the security and safety of the victim and others, even in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

The General Assembly recognizes the dangerous nature of stalking as well as the strong connections between stalking and domestic violence and between stalking and sexual assault. Therefore, the General Assembly enacts this law to encourage effective intervention by the criminal justice system before stalking escalates into behavior that has serious or lethal consequences. The General Assembly intends to enact a stalking statute that permits the criminal justice system to hold stalkers accountable for a wide range of acts, communications, and conduct. The General Assembly recognizes that stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means.

(b) Definitions. – The following definitions apply in this section:

- (1) Course of conduct. – Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (2) Harasses or harassment. – Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
- (3) Reasonable person. – A reasonable person in the victim's circumstances.
- (4) Substantial emotional distress. – Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(c) Offense. – A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

- (1) Fear for the person's safety or the safety of the person's immediate family or close personal associates.
- (2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

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(d) Classification. – A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.

(e) Jurisdiction. – Pursuant to G.S. 15A-134, if any part of the offense occurred within North Carolina, including the defendant's course of conduct or the effect on the victim, then the defendant may be prosecuted in this State."

**SECTION 3.** This act becomes effective December 1, 2008, and applies to offenses committed on or after that date. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

The Conference Report, which changes the title, is placed on the Calendar for July 16, for adoption.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1632**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35609, which changes the title to read **S.B. 1632** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, is adopted and engrossed.

### APPOINTMENT OF CONFERENCE COMMITTEE

**S.B. 180** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 180 on July 14 and the motion by Senator Rand to

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appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Rand, Chair; Senator Garrou; Senator Kinnaird; and Senator Goss as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2801**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN L. MCCAIN, FORMER PHYSICIAN.

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

The joint resolution passes its second (45-0) and third reading with members standing and is ordered enrolled.

Upon motion of Senator Swindell, the President extends the courtesies of the gallery to family and friends of John McCain: Betty Ray McCain, his wife; Eloise McCain Hassell, his daughter; Beth McCain, his daughter-in-law; Elizabeth McCain, his granddaughter; Jeannie Hassell; and Betsy Bueford.

### **CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2267**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill is ordered enrolled.

**S.J.R. 2171**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD M. "ED" O'HERRON, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Rand, the joint resolution is taken up out of its regular order of business.

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Upon motion of Senator Dannelly, the joint resolution is read in its entirety.

The joint resolution passes its second reading (44-0) and third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Dannelly, the President extends the courtesies of the gallery to Ken O'Herron, his son and his wife, Barbara; Pattie Norman, his daughter and her husband Tommie; Eddie O'Herron, his grandson; and Dosty Quarrier, his granddaughter.

**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Berger of Franklin offers Amendment No. 1 which changes the title upon concurrence to read **H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (1A) TO PROVIDE THAT A PERSON WHO BECOMES AN OWNER OR OPERATOR OF A

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COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK IS NOT RESPONSIBLE FOR PAYMENT OF ANY UNPAID ANNUAL OPERATING FEES THAT ACCRUE PRIOR TO THE DATE THE PERSON BECAME THE OWNER OR OPERATOR; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Clodfelter, as Chairman of the Finance Committee, requests a fiscal note for H.B. 2498.

Upon motion of Senator Rand, the Committee Substitute bill with Amendment No. 1 pending is withdrawn from the Calendar and ordered held in the Clerks office pending receipt of the fiscal note.

**H.B. 2167** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, upon second reading.

Senator Jenkins offers Amendment No. 1 which is adopted (43-2).

The Senate Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dannelly, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

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Voting in the negative: Senator Rand--1.

The Senate Committee Substitute bill, as amended, remains on the Calendar for Wednesday, July 16, upon third reading.

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

The Senate Committee Substitute bill passes its second reading (36-9).

Upon motion of Senator Rand, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 2353** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS.

The Senate Committee Substitute bill passes its second reading (45-0).

Senator Hoyle offers Amendment No. 1 which is adopted (45-0), and changes the title upon concurrence to read **H.B. 2353** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS AND TO ADD TWO MORE LEGISLATIVE APPOINTMENTS TO THE NORTH CAROLINA APPRAISAL BOARD.

The Senate Committee Substitute bill, as amended, passes its third reading (45-0) and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 2530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10501, is adopted and engrossed.

#### CALENDAR *(continued)*

**H.B. 2432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY

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MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL.

The Committee Substitute bill passes its second (45-0) and third readings and is ordered enrolled and sent to the Governor by special message.

**S.B. 942** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES THAT WOULD RESTRICT DISTRIBUTION OF NEWSPAPERS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Dalton, the Senate concurs in the House Committee Substitute bill (42-3) and the bill is ordered enrolled and sent to the Governor, by special message.

**H.B. 274** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT", for adoption.

Upon motion of Senator Graham, the Senate adopts the Conference Report (45-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 1366** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, for adoption.

Upon motion of Senator Rand, the Conference Report is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 17.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A MORATORIUM ON THE COLLECTION OF PROPERTY TAXES FROM CERTAIN QUALIFYING DAY CARE CENTERS, referred to the **Finance Committee** on Thursday, August 2, 2007.

Pursuant to Rule 47(a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Finance Committee** and re-referred to the **Appropriations/Base Budget Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Finance Committee** and re-refers the measure to the **Appropriations/Base Budget Committee**.

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**CALENDAR** (*continued*)

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES, temporarily displaced earlier.

Senator Rand offers Amendment No. 1 which is adopted (43-2).

Upon motion of Senator Nesbitt, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 819** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS GOVERNING MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT, TO PROVIDE FOR MANAGEMENT OF DISCARDED TELEVISIONS, TO DELAY THE EFFECTIVE DATE UNTIL 1 JANUARY 2010, AND TO MAKE OTHER CONFORMING AND TECHNICAL CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second (45-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES, temporarily displaced earlier.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, July 16.

Upon motion of Senator Basnight, seconded by Senator Clodfelter, the Senate adjourns subject to appointment of conferees, referral of bills, ratification of bills, receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Wednesday, July 16, at 11:00 A.M.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Graham for the **State & Local Government Committee**:

**H.B. 2279**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PERMIT EXEMPTION FOR OPEN FIRES WITHIN ONE HUNDRED FEET OF AN OCCUPIED DWELLING WITHIN THE LAKE ROYALE COMMUNITY, with a favorable report.

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**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 15, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 274** (Conference Committee Substitute), AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 963** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HOURS OF LABOR AND OVERTIME COMPENSATION OF MEMBERS OF MUNICIPAL FIRE DEPARTMENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 16, for concurrence.

**S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY

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RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, for concurrence in the House Committee Substitute bill No. 2.

Referred to the **Select Committee on Government and Election Reform.**

**S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, for concurrence in House Amendment No. 1.

The Committee Substitute bill, as amended, is placed on the Calendar for Wednesday, July 16, for concurrence in House Amendment No. 1.

**H.B. 1563** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS.

Referred to the **Pensions & Retirement and Aging Committee.**

**H.B. 2439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2008, UNTIL THE EARLIER OF JULY 25, 2008, AT 11:59 P.M., OR WHEN HOUSE BILL 2436, 2007 REGULAR SESSION, BECOMES LAW.

Referred to the **Appropriations/Base Budget Committee.**

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Garrou for the **Appropriations/Base Budget Committee**:

**H.B. 2623** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80643, is adopted and engrossed.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 741** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING ADVANCE PAYMENTS BY NONPROFIT ORGANIZATIONS AND INDIAN TRIBES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 16, for concurrence.

**S.B. 1627** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Wednesday, July 16, for concurrence.

**S.B. 1652** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 16.

**S.B. 1695** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, for concurrence in the House Committee Substitute bill No. 2.

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The House Committee Substitute bill No. 2 is placed on the Calendar for Wednesday, July 16, for concurrence.

**S.B. 1697** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 16, for concurrence.

**S.B. 1799** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE, for concurrence in House Amendment No. 1.

The Committee Substitute bill No. 2, as amended, is placed on the Calendar for Wednesday, July 16, for concurrence in House Amendment No. 1.

**H.B. 2542** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, AS RECOMMENDED BY THE HOUSE ETHICS COMMITTEE.

Referred to the **Select Committee on Government and Election Reform**.

**H.B. 2755**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS.

Referred to the **Finance Committee**.

**H.B. 2756**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN.

Referred to the **Finance Committee**.

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**H.B. 2788** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Referred to the **Rules and Operations of the Senate Committee.**

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 15, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 180**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES, and requests conferees, speaker Hackney appoints:

Representative Rapp, Chair  
Representative Goodwin  
Representative Sutton  
Representative Holloway, and  
Representative Kiser

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 15, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute

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for **H.B. 2509**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:48 P.M.

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**ONE HUNDRED FIFTY-FIRST DAY**

Senate Chamber  
Wednesday, July 16, 2008

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

Prayer is offered by The Reverend Kenneth R. Hammond, Union Baptist Church, Durham, North Carolina as follows:

"O Lord our Lord, how excellent is your name in all the earth. We thank you for the blessings of life and for the beauty of this day. You remind us daily that you are the light of the world. We pray that you would ever allow your light to shine in our lives so that others might see your goodness. We thank you for the privilege to be servants in the kingdom enterprise. We lift up our leaders and pray for Godly wisdom for them. Bless all that they do and even as they give up their time to serve, we pray for their families, their homes and the communities they represent. Bless us and make us a blessing, for it is in your name we pray. Amen."

The Chair grants leaves of absence for today to Senator Cowell, Senator Dannelly, Senator Hagan and Senator Snow.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, July 15, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

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*The Chair extends privileges of the floor to Dr. Margaret Harper from Winston-Salem, North Carolina, who is serving the Senate as Doctor of the Day, and to Linda Rogers from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.*

#### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 942**, AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES THAT WOULD RESTRICT DISTRIBUTION OF NEWSPAPERS.

**H.B. 274**, AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT."

**H.B. 2432**, AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL.

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

**H.B. 472**, AN ACT TO MOVE ELECTIONS FOR THE TOWN OF ROPER TO THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS.

**H.B. 2267**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES.

**H.B. 2779**, AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY.

**S.J.R. 2171**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD M. "ED" O'HERRON, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 28)

**H.J.R. 2801**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN L. MCCAIN, FORMER PHYSICIAN. (Res. 29)

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**CHAPTERED BILLS**

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 488**, AN ACT TO AMEND THE CARRBORO CHARTER TO ALLOW THE TOWN TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE, AS LONG AS THE LIMIT IS NO LOWER THAN TWO HUNDRED FIFTY DOLLARS PER ELECTION. (Became law upon ratification, July 15, 2008 - S.L. 2008-97.)

**S.B. 2160**, AN ACT TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND. (Became law upon ratification, July 15, 2008 - S.L. 2008-98.)

**H.B. 2093**, AN ACT TO ADD THE TOWNS OF LOWELL AND MANTEO TO THE LIST OF CITIES WHERE MUNICIPAL EMPLOYEES MAY USE ALL-TERRAIN VEHICLES ON HIGHWAYS WITH POSTED SPEED LIMITS OF THIRTY-FIVE MILES PER HOUR OR LESS. (Became law upon ratification, July 15, 2008 - S.L. 2008-99.)

**H.B. 2155**, AN ACT TO ESTABLISH A NO-WAKE SPEED ZONE NEAR THE TOWNS OF HOLDEN BEACH AND OAK ISLAND. (Became law upon ratification, July 15, 2008 - S.L. 2008-100.)

**H.B. 2488**, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW ADJUSTMENT OF THE GEOGRAPHIC SCOPE OF THE CITY'S SMALL BUSINESS ENTERPRISE PROGRAM. (Became law upon ratification, July 15, 2008 - S.L. 2008-101.)

**H.B. 2760**, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN STOKES COUNTY. (Became law upon ratification, July 15, 2008 - S.L. 2008-102.)

**H.B. 2784**, AN ACT CONCERNING INVESTMENTS OF THE CITY OF FAYETTEVILLE AND THE PUBLIC WORKS COMMISSION OF FAYETTEVILLE. (Became law upon ratification, July 15, 2008 - S.L. 2008-103.)

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 2397** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF

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EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO AUTHORIZE EMPLOYING ENTITIES OF THE GENERAL ASSEMBLY TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF PROSPECTIVE AND CURRENT EMPLOYEES, with a favorable report.

Upon motion of Senator Clodfelter, the Committee Substitute bill No. 3 is referred to the **Judiciary II Committee**.

**H.B. 2558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE, with a favorable report.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute bill is placed on today's Supplemental Calendar.

**S.B. 1977** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF LELAND AND SPENCER TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION, with a favorable report as to concurrence.

**H.B. 1134** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 51066, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today's Supplemental Calendar.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL

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COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2279**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PERMIT EXEMPTION FOR OPEN FIRES WITHIN ONE HUNDRED FEET OF AN OCCUPIED DWELLING WITHIN THE LAKE ROYALE COMMUNITY.

The bill passes its second and third readings and is ordered enrolled.

**H.B. 2167** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, upon third reading as amended on second reading.

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, Preston, Purcell, Queen, Rand, Rucho, Smith, Soles, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives by special message for concurrence.

*Upon the appearance of Senator Snow in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

### PRIVILEGES OF THE FLOOR

Upon motion of Senator Rand, the privileges of the floor are extended to Sid Scruggs III, who was recently elected Second Vice President of Lions International; Judy Scruggs, his wife; and Mr. Lacy Presnell.

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The Sergeant-at-Arms escorts the guests to the Well of the Senate and Senator Rand presents Mr. Scruggs a Certificate of Recognition from the Senate. Mr. Scruggs is recognized to address the Senate after which the Sergeant-at-Arms escorts the guests from the Chamber.

**CALENDAR** (*continued*)

**H.B. 2409**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

Upon motion of Senator Rand, the President orders, without objection, the bill temporarily displaced.

**S.B. 1632** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

Senator Hartsell offers Amendment No. 1 which is adopted (46-0).

Senator Hartsell offers Amendment No. 2 which is adopted (46-0).

The Committee Substitute bill, as amended, passes its second reading (46-0).

Senator Dalton objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 17, upon third reading.

**H.B. 2409**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, temporarily displaced earlier upon second reading.

The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, July 17, upon third reading.

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**H.B. 964** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTER, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES.

*Without objection, Senator Brunstetter requests to be excused from voting on the Senate Committee Substitute bill No. 2 due to a conflict of interest.*

The Senate Committee Substitute bill No. 2 passes its second (44-1) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

*The Chair grants a leave of absence for the remainder of today's session to Senator Snow.*

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 17.

**H.B. 1230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT.

The Senate Committee Substitute bill passes its second (35-10) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 1624** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER.

The Senate Committee Substitute bill passes its second reading (44-0).

Senator Hartsell objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 17, upon third reading.

The Senate recesses at 11:51 A.M. for the purpose of a Pensions & Retirement and Aging Committee meeting and a Finance Committee meeting, to reconvene at 12:30 P.M.

### RECESS

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

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*The Chair grants leaves of absence for the remainder of today's session to Senator Kerr and Senator Shaw.*

*Upon the appearance of Senator Snow in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

The Senate recesses at 12:42 P.M. subject to receipt of committee reports, for the purpose of a Finance Committee meeting to reconvene at 12:49 P.M.

### RECESS

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

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1878** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, submits for adoption the following report:

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 1878, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS

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MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, House Committee Substitute Favorable 6/24/08 Fifth Edition Engrossed 7/2/08, Corrected Copy 7/3/08, submit the following report:

The Senate and House agree to the following amendment and the Senate concurs in House Committee Substitute Favorable 6/24/08, Fifth Edition Engrossed 7/2/08, Corrected Copy 7/3/08, as amended:

on page 2, lines 39 through 41, by rewriting those lines to read:

"Advancement. – A county whose population is 75,000 or greater according to the most recent annual population estimates certified to the Secretary by the State Budget Officer must conduct a reappraisal of real property when the county's sales assessment ratio determined under G.S. 105-289(h) is less than .85 or greater than 1.15, as indicated on"

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

Date Conferees approved report: July 16, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/Daniel G. Clodfelter, Chair  
S/David W. Hoyle  
S/John Snow  
S/Richard Stevens

S/Paul Luebke, Chair  
S/Harold J. Brubaker  
S/Pryor Gibson  
Daniel F. McComas  
William L. Wainwright  
S/Jennifer Weiss

The Conference Report is placed on the Calendar for Thursday, July 17, for adoption upon second reading.

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 2755**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS, with a favorable report.

Upon motion of Senator Clodfelter, the rules are suspended and the bill is placed on today's Supplemental Calendar.

**H.B. 2756**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN, with a favorable report.

Upon motion of Senator Clodfelter, the rules are suspended and the bill is placed on today's Supplemental Calendar.

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS, with a favorable report.

By Senator Garrou for the **Pensions & Retirement and Aging Committee**:

**H.B. 1563** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS, with a favorable report.

Upon motion of Senator Garrou, the rules are suspended and the Committee Substitute bill No. 2 is placed on today's Supplemental Calendar.

**CALENDAR** (*continued*)

**S.B. 1627** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM, for concurrence upon second reading.

Upon motion of Senator Weinstein, the Senate concurs in the House Committee Substitute bill No. 2 on its second reading, by roll-call vote, ayes 44, noes 0, as follows:

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Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Malone, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The House Committee Substitute bill No. 2 remains on the Calendar for Thursday, July 17, for concurrence upon third reading.

**H.B. 2530** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS.

The Senate Committee Substitute bill No. 2 passes its second (44-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2570** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MOVEMENT OF TRAILER FRAMES NOT EXCEEDING FOURTEEN FEET IN WIDTH TO ANOTHER LOCATION NO FARTHER THAN THREE MILES AWAY FROM THE POINT OF ORIGIN FOR CONTINUED MANUFACTURING OF THE TRANSFER TRAILER WITH AN ANNUAL PERMIT.

The Senate Committee Substitute bill passes its second (44-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

*Upon the appearance of Senator Kerr in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

**H.B. 2623** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION.

The Senate Committee Substitute bill passes its second (45-1) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

#### WITHDRAWAL FROM CALENDAR

**S.B. 1632** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL

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STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, placed on the Calendar for Thursday, July 17.

Senator Dalton withdraws his objection to third reading on S.B. 1632 and upon motion of Senator Rand, the Committee Substitute bill is withdrawn from the Calendar of July 17 and is placed on today's Calendar for third reading.

#### **CALENDAR** *(continued)*

**S.B. 1697** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, for concurrence upon second reading.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 45, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: Senator Kinnaird---1.

The House Committee Substitute bill remains on the Calendar for Thursday, July 16, for concurrence upon third reading.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.B. 2499** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee**.

The Senate recesses at 1:03 P.M. for the purpose of an Agriculture/Environment/Natural Resources, Judiciary II Committee meeting and a Select Committee on Government and Election Reform meeting, to reconvene at 4:00 P.M.

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**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 a leave of absence for the remainder of today's session to Senator Goodall.*

The Senate recesses at 4:12 P.M., subject to ratification of bills and receipt of committee reports, for the purpose of a Rules and Operations of the Senate Committee meeting to reconvene at 4:15 P.M.

**RECESS****ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 1770**, AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS AND TO ALLOW SPECIAL ASSESSMENTS TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS.

**H.B. 1889**, AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND, TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT, AND TO PROVIDE A PROPERTY TAX EXEMPTION FOR LEASEHOLD INTEREST IN CERTAIN EXEMPTED PROPERTY.

**H.B. 2313**, AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE.

**H.B. 2314**, AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS,

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AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO EXPAND THE AUTHORITY OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO LOCATE AND ACQUIRE RIGHT-OF-WAY FOR THE LOCATION, ABOVE OR BELOW GROUND, OF FIBER-OPTIC CABLE.

**H.B. 2785**, AN ACT TO ALLOW THE STATE TO ACQUIRE LOCKS AND DAMS ONE, TWO, AND THREE ON THE CAPE FEAR RIVER FROM THE UNITED STATES.

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

**H.B. 2279**, AN ACT TO REPEAL THE PERMIT EXEMPTION FOR OPEN FIRES WITHIN ONE HUNDRED FEET OF AN OCCUPIED DWELLING WITHIN THE LAKE ROYALE COMMUNITY.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2397** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO AUTHORIZE EMPLOYING ENTITIES OF THE GENERAL ASSEMBLY TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF PROSPECTIVE AND CURRENT EMPLOYEES, with a favorable report.

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 a leave of absence for the remainder of today's session to Senator Smith.*

### CALENDAR *(continued)*

**S.B. 741** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING ADVANCE PAYMENTS BY NONPROFIT ORGANIZATIONS AND INDIAN TRIBES, for concurrence in the House Committee Substitute bill.

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Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 963** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE HOURS OF LABOR AND OVERTIME COMPENSATION OF MEMBERS OF MUNICIPAL FIRE DEPARTMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Atwater, the Senate concurs in the House Committee Substitute bill (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1652** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1695** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill No. 2 (43-1) and the bill is ordered enrolled and sent to the Governor by special message.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Rand for the **Rules and Operations of the Senate Committee:**

**H.B. 2788** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80647, which changes the title upon concurrence to read **H.B. 2788** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS

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TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

#### **CALENDAR** (*continued*)

**S.B. 1799** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE, for concurrence in House Amendment No. 1.

Upon motion of Senator Jenkins, the Senate concurs in House Amendment No. 1 (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Clodfelter for the **Select Committee on Government and Election Reform**:

**S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL

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TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, with an unfavorable report as to concurrence.

Upon motion of Senator Clodfelter, the rules are suspended and the House Committee Substitute bill No. 2 is placed on today's Supplemental Calendar.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1253**, A BILL TO BE ENTITLED AN ACT TO REVISE THE JUVENILE CODE WITH REGARD TO SECURE CUSTODY ORDERS, DELINQUENCY HISTORY LEVELS, AND DISPOSITIONAL LIMITS OF DELINQUENT JUVENILES, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51067, which changes the title upon concurrence to read **H.B. 1253** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CIVIL COMMITMENT OF CERTAIN SEX OFFENDERS WHO LACK THE CAPACITY TO PROCEED TO TRIAL, is adopted and engrossed.

Upon motion of Senator Nesbitt, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

**H.B. 2340** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES, with an unfavorable report as to Committee Substitute bill No. 3, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 70811, is adopted and engrossed.

Upon motion of Senator Nesbitt, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

**H.B. 2492** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE

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IDENTIFICATION UPON ESCAPE FROM CUSTODY AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 30745, which changes the title upon concurrence to read **H.B. 2492** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY, BASED ON RECOMMENDATIONS BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE, is adopted and engrossed.

Upon motion of Senator Nesbitt, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

#### CALENDAR *(continued)*

**S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, for concurrence in House Amendment No. 1.

Upon motion of Senator Clodfelter, the Senate fails to concur in House Amendment No. 1 (0-44).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 887** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING, for adoption.

Upon motion of Senator Nesbitt, the Senate adopts the Conference Report (44-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### SUPPLEMENTAL CALENDAR

Bills on today's Supplemental Calendar are taken up and disposed of, as follows:

**H.B. 2755**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 43, noes 1, as follows:

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Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: Senator Garrou---1.

The bill remains on the Calendar for Thursday, July 17, upon third reading.

**H.B. 2756**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 43, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: Senator Garrou---1.

The bill remains on the Calendar for Thursday, July 17, upon third reading.

**H.B. 2558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---44.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Thursday, July 17, upon third reading.

**H.B. 1134** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED

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MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES.

Senator Clodfelter offers Amendment No. 1 which is adopted (44-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second (44-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**H.B. 1563** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS.

The Committee Substitute bill No. 2 passes its second (44-0) and third readings and is ordered enrolled and sent to the Governor by special message.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 2773**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, AND TO AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS.

Pursuant to the message from the House of Representatives received on Wednesday, July 9, that the House fails to concur in Senate Amendment No. 1 for H.B. 2773 and requests conferees, Senator Soles, announces the appointment of Senator Rand, Chair, Senator Stevens and Senator Hoyle as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES.

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Pursuant to the Senate having failed to concur in House Amendment No. 1 for S.B. 1875 earlier today and the motion by Senator Clodfelter to appoint conferees having prevailed, Senator Soles announces the appointment of Senator Clodfelter, Chair, Senator Rand and Senator Brunstetter as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

The Senate recesses at 4:54 P.M. for the purpose of an Appropriations/Base Budget Committee meeting to reconvene at 5:00 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 a leave of absence for the remainder of today's session to Senator Dalton.*

### SUPPLEMENTAL CALENDAR *(continued)*

**S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE

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FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, placed earlier on today's Supplemental Calendar for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Clodfelter, the Senate fails to concur in the House Committee Substitute bill No. 2, (0-43).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Garrou for the **Appropriations/Base Budget Committee**:

**S.B. 83** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF DOMESTIC CRIMINAL TRESPASS BY MAKING IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSONS COVERED BY THE PROTECTIVE ORDER ARE PRESENT ON THE PREMISES AND TO PROVIDE THAT IT IS AN AGGRAVATING CIRCUMSTANCE FOR FIRST DEGREE MURDER IF A DEFENDANT WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER COMMITS A MURDER ON THE PREMISES OF A SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE, with a favorable report.

**H.B. 685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A MORATORIUM ON THE COLLECTION OF PROPERTY TAXES FROM CERTAIN QUALIFYING DAY CARE CENTERS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 80646, which changes the title upon concurrence to read **H.B. 685** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., TO RETAIN UNEXPENDED FUNDS FOR THE 2007-2008 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, is adopted and engrossed.

### APPOINTMENT OF CONFERENCE COMMITTEE

**S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND

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THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill No. 2 for S.B. 1263 earlier today and the motion by Senator Clodfelter to appoint conferees having prevailed, Senator Soles announces the appointment of Senator Clodfelter, Chair; Senator Nesbitt; Senator Rand; Senator Berger of Franklin; Senator Berger of Rockingham and Senator Stevens as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

#### **SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 2788** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE, placed earlier on today's Supplemental Calendar.

The Senate Committee Substitute bill passes its second (41-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

#### **WITHDRAWAL FROM CLERK'S OFFICE**

**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM

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UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, ordered held in the Clerk's office on July 15 pending receipt of a fiscal note requested by Senator Clodfelter.

Senator Clodfelter withdraws his request for the fiscal note and upon his motion the Committee Substitute bill is withdrawn from the Clerk's office and placed on the Calendar for July 17.

#### **SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 1253** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CIVIL COMMITMENT OF CERTAIN SEX OFFENDERS WHO LACK THE CAPACITY TO PROCEED TO TRIAL, placed earlier on today's Supplemental Calendar.

The Senate Committee Substitute bill passes its second (43-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

**H.B. 2340** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT

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MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES, placed earlier on today's Supplemental Calendar.

The Senate Committee Substitute bill passes its second reading (22-21).

Senator Brock objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for Thursday, July 17, upon third reading.

**H.B. 2492** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY, BASED ON RECOMMENDATIONS BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.

The Senate Committee Substitute bill passes its second (42-1) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

The Senate recesses at 5:29 P.M. for the purpose of an Education/Public Instruction Committee meeting to reconvene at 5:30 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 a leave of absence for the remainder of today's session to Senator Jenkins.*

### SUPPLEMENTAL CALENDAR *(continued)*

**S.B. 1632** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, as amended on second reading and placed earlier on today's Supplemental Calendar upon third reading.

Senator Hartsell offers Amendment No. 3 which is adopted (40-0).

The Committee Substitute bill, as amended, passes its third reading (40-0) and is ordered engrossed and sent to the House of Representatives by special message.

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**WITHDRAWAL FROM CALENDAR**

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS.

Senator Clodfelter, offers a motion that the rules be suspended and that the bill be withdrawn from the Calendar for Thursday, July 17, and placed before the Senate for immediate consideration.

The Chair orders the bill withdrawn from the Calendar for Thursday, July 17, and places it before the Senate for immediate consideration.

Senator Bingham announces a pair vote. If Senator Smith were present, he would vote "no"; Senator Bingham votes "aye".

Senator Kerr announces a pair vote. If Senator Jenkins were present, he would vote "no"; Senator Kerr votes "aye".

The bill fails to pass its second reading with a tie vote, by roll-call vote, ayes 19, noes 19, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Blake, Clodfelter, Dorsett, Graham, Hartsell, Jones, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Rand, Snow, Stevens and Weinstein---19.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Boseman, Brock, Brown, Brunstetter, East, Forrester, Garrou, Goss, Hoyle, Hunt, Jacumin, Preston, Queen, Soles, Swindell and Tillman---19.

**RECONSIDERATION**

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS.

Senator Soles offers a motion that the vote by which H.B. 2690 failed to pass its second reading earlier today be reconsidered, which motion prevails (23-17).

The question before the body becomes the passage of the bill on its second reading.

Senator Bingham announces a pair vote. If Senator Smith were present, he would vote "no"; Senator Bingham votes "aye".

Senator Kerr announces a pair vote. If Senator Jenkins were present, he would vote "no"; Senator Kerr votes "aye".

The bill passes its second reading, by roll-call vote, ayes 20, noes 18, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Blake, Clodfelter, Dorsett, Graham, Hartsell, Jones, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Rand, Snow, Soles, Stevens and Weinstein---20.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Brock, Brown, Brunstetter, East, Forrester, Garrou, Goss, Hoyle, Hunt, Jacumin, Preston, Queen, Rucho, Swindell and Tillman---18.

The bill remains on the Calendar for Thursday, July 17, upon third reading.

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Upon motion of Senator Rand, seconded by Senator Apodaca, the Senate adjourns subject to appointment of conferees, ratification of bills, receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Thursday, July 17, at 11:00 A.M.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Malone for the **Education/Public Instruction Committee**:

**H.B. 359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF EDUCATIONAL PURPOSE IN THE SCHOOL CALENDAR LAW TO PROVIDE FOR THREE SYSTEMWIDE WAIVERS: (I) TO ALIGN THE CALENDAR WITH THAT OF A COMMUNITY COLLEGE OR UNIVERSITY IN THE GEOGRAPHIC AREA, (II) TO ADJUST THE EXAMINATION SCHEDULE TO BENEFIT STUDENTS OR TO ACCOMMODATE ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAMINATIONS, AND (III) TO ACCOMMODATE IMPLEMENTATION OF BLOCK SCHEDULES; AND TO ALLOW ANY WAIVERS GRANTED BY THE STATE BOARD OF EDUCATION FOR AN EDUCATIONAL PURPOSE TO BE EFFECTIVE SO LONG AS THE EDUCATIONAL PURPOSE EXISTS, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51070, which changes the title upon concurrence to read **H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS, is adopted and engrossed.

### SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

**H.B. 2609** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO END DEPARTMENT OF ADMINISTRATION SUPERVISION OF EMPLOYEES OF COUNTIES, CITIES, TOWNS, AND AMERICAN INDIAN TRIBES THAT ARE ENGAGED IN VETERANS SERVICE IN ALAMANCE, MOORE, HARNETT, SAMPSON, AND WAYNE COUNTIES.

Referred to the **State & Local Government Committee**.

**S.B. 845** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING

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WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17.

**S.B. 1046** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO STUDY THE IMPACTS ON THE STATE OF NORTH CAROLINA OF THE POTENTIAL ISSUANCE OF A FIFTY-YEAR LICENSE BY THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE OPERATION OF THE YADKIN HYDROELECTRIC PROJECT, for concurrence in the House Committee Substitute bill No. 3.

The House Committee Substitute bill No. 3 is placed on the Calendar for Thursday, July 17.

**S.B. 1631** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY HOW PUBLIC BODIES IN HYDE COUNTY MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17.

**S.B. 1770** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE

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FACILITIES BE REPORTED, TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS, AND TO STUDY DEATH REPORTING REQUIREMENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17, for concurrence.

**S.B. 1796** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE SPECIAL ASSISTANCE PROGRAM, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17, for concurrence.

**S.B. 1797** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Thursday, July 17, for concurrence.

**S.B. 2075** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION AND TO PROVIDE FOR A TEMPORARY INCREASE IN THE CAP ON AMOUNTS COMMITTED UNDER THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17, for concurrence.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 16, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in House Amendment No. 1 to **S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE

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AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, and requests conferees, Speaker Hackney appoints:

Representative Glazier, Chair  
Representative Ross  
Representative Howard  
Representative Stam, and  
Representative Lucas

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 16, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 1925**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, and requests conferees, Speaker Hackney appoints:

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Representative Gibson, Chair  
Representative Insko  
Representative Faison  
Representative Daughtridg, and  
Representative Luebke

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 16, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 887** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 16, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has dismissed the conferees on the Senate

July 16, 2008

Committee Substitute for **H.B. 2341**, A BILL TO BE ENTITLED AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 2123** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 17.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 2499** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51069, is adopted and engrossed.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

July 16, 2008

House of Representatives  
July 16, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, and requests conferees, Speaker Hackney appoints:

Representative Goodwin, Chair  
Representative Ross  
Representative Martin  
Representative Justice  
Representative Bryant, and  
Representative Stiller

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 16, 2008

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Clodfelter for the **Select Committee on Government and Election Reform**:

**H.B. 2542** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, AS RECOMMENDED BY THE HOUSE ETHICS COMMITTEE, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51068, which changes the title upon concurrence to read **H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, is adopted and engrossed.

**CONFERENCE REPORT**

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1925** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, submits for adoption the following report:

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 1925, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING,

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WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AIRPORT AUTHORITIES TO SUPPORT THE MISSION OF THE UNIVERSITY, ITS CONSTITUENT INSTITUTIONS, OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, House Committee Substitute Favorable 6/30/08 Fourth Edition Engrossed 7/7/08 Fifth Edition Engrossed 7/8/08, Corrected Copy 7/8/08, submit the following report:

The Senate concurs in the House Committee Substitute Favorable 6/30/08 Fourth Edition Engrossed 7/7/08 Fifth Edition Engrossed 7/8/08, Corrected Copy 7/8/08 with an amendment:

Delete the entire House Committee Substitute Favorable 6/30/08 Fourth Edition Engrossed 7/7/08 Fifth Edition Engrossed 7/8/08, Corrected Copy 7/8/08 and substitute the attached Proposed Conference Committee Substitute S1925-PCCS35612-LB-4.

The House agrees to the same.

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

Date Conferees approved report: July 16, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/Tony Rand, Chair  
John H. Kerr III  
S/Richard Stevens  
S/Fletcher L. Hartsell, Jr.

S/Pryor Gibson, Chair  
S/Verla Insko  
S/Bill Faison  
S/Bill Daughtridge  
S/Paul Luebke

The text of the attached Proposed Conference Committee Substitute, S1925-PCCS35612-LB0-4 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING,  
WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF  
CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE

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CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

The General Assembly of North Carolina enacts:

**PART I. SELF-LIQUIDATING PROJECTS**

**SECTION 1.1.** The purpose of this act is: (i) to authorize the construction by certain constituent institutions of The University of North Carolina of the capital improvements projects listed in the act for the respective institutions, and (ii) to authorize the financing of these projects with funds available to the institutions from gifts, grants, receipts, liquidating indebtedness, Medicare reimbursements for education costs, or other funds, or any combination of these funds, but not including funds received for tuition or appropriated from the General Fund of the State.

**SECTION 1.2.** The capital improvements projects, and their respective costs, authorized by this act to be constructed and financed as provided in Section 1.1 of this act, including by revenue bonds, by special obligation bonds as authorized in Section 1.5 of this act, or by both, are as follows:

<b>Appalachian State University</b>	
Kidd Brewer Stadium Improvements	\$8,300,000
<b>East Carolina University</b>	
Athletic Facilities Expansion and Improvements	30,000,000
Dining Facilities Improvements	9,700,000
Residence Halls Improvements and Expansion	28,500,000
Dowdy-Ficklen Stadium Improvements	24,000,000
<b>North Carolina Central University</b>	
Student Facilities Improvements	11,500,000
<b>North Carolina State University</b>	
Student Health Center Expansion	10,900,000
Avent Ferry Administration Center Renovation	5,200,000
Centennial Campus Tenant Space Renovations	10,000,000
Collaborative Research Building I	35,000,000

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**The University of North Carolina at Chapel Hill**

Athletic Facilities Renovation and Expansion	7,023,000
Carmichael Auditorium – Supplement	9,500,000
Carmichael Residence Hall – Supplement	1,300,000
Dental Sciences Teaching and Learning Building	26,000,000
Fetzer Gymnasium Expansion	2,500,000
Kenan Stadium Expansion, Phase I	50,000,000
Mary Ellen Jones Animal Facility Renovation	10,000,000
Medical Research Building D Renovation and Expansion	5,000,000
Old East and Old West Residence Halls Improvements – Supplement	3,200,000
Research Resource Facility – Phase III	8,600,000
Robertson Scholars Site Preparation	1,900,000
Woollen Gymnasium (Sports Medicine) – Supplement	1,500,000
Chilled Water Infrastructure	6,000,000
Cogeneration and Steam Infrastructure Improvements and Expansion	17,700,000
Electrical Infrastructure Improvements	13,500,000

**The University of North Carolina at Charlotte**

Residence Hall Fire Suppression Sprinkler System Installation	16,200,000
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**The University of North Carolina at Greensboro**

Cone Residence Hall Fire Alarm System Replacement	948,000
North and South Spencer Residence Hall Improvements	5,978,000
Baseball Locker Room and Training Facility	2,800,000

**The University of North Carolina at Wilmington**

Student Recreation Center Expansion	35,000,000
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**Winston-Salem State University**

Student Activities Center	3,750,000
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**SECTION 1.3.** Pursuant to G.S. 143C-8-12, the following projects are authorized for planning only and, for that purpose, are to be funded entirely with non-General Fund money:

**Appalachian State University**

Student Residential, Learning and Activity Development – Advance Planning	6,400,000
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**Fayetteville State University**

Student Residence Hall and Fitness Center – Advance Planning	5,900,000
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**The University of North Carolina at Charlotte**

Partnership, Outreach, and Research for Accelerated Learning (PORTAL) Building – Advance Planning	5,000,000
Motorsports Building II – Advance Planning	800,000

**UNC Health Care System**

Inpatient Bed Tower and Operating Room Facility	16,275,000
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**SECTION 1.4.** At the request of the Board of Governors of The University of North Carolina and upon determining that it is in the best interest of the State to do so, the Director of the Budget may authorize an increase or decrease in the cost of, or a change in the method of, funding the projects authorized by this act. In determining whether to authorize a change in cost or funding, the Director of the Budget shall consult with the Joint Legislative Commission on Governmental Operations.

**SECTION 1.5.** Pursuant to G.S. 116D-26, the Board of Governors may issue, subject to the approval of the Director of the Budget, at one time or from time to time, special obligation bonds of the Board of Governors for the purpose of paying all or any part of the cost of acquiring, constructing, or providing for the projects authorized by Section 1.2 of this act. The maximum principal amount of bonds to be issued shall not exceed the specified project costs in Section 1.2 of this act plus twenty-five million dollars (\$25,000,000) for related additional costs, such as issuance expenses, funding of reserve funds, and capitalized interest.

**SECTION 1.6.** With respect to the University of North Carolina at Chapel Hill's Research Resource Facility – Phase III capital project, East Carolina University's Athletic Facilities Expansion and Improvements capital project, and North Carolina State University's Avent Ferry Administration Center Renovation capital project, the institution may accomplish construction and financing notwithstanding the requirement in G.S. 116D-22(5) as to location at the institution.

**SECTION 1.7.** With respect to the University of North Carolina at Chapel Hill's Kenan Stadium – Expansion, Phase I, capital project, the institution may accomplish construction and financing through lease arrangements to and from the Educational Foundation, Inc., or any other special purpose entity created for that purpose. After the completion of the renovation and improvement and acquisition of the project by the institution, and notwithstanding any provision of the General Statutes governing the negotiation and execution of contracts or leases for the operation and management of a facility, the institution may provide for the operation and management of all or part of the renovated and improved portion of Kenan Stadium by contracting with the Educational Foundation, Inc., or by leasing that portion of Kenan

Stadium to the Educational Foundation, Inc., or by contracting with or leasing to any other special purpose entity created for that purpose.

**SECTION 1.8.** With respect to Appalachian State University's Kidd Brewer Stadium Improvements capital project, the institution may accomplish construction and financing through lease arrangements to and from the Appalachian State University Foundation, Inc.

**SECTION 1.9.** With respect to the University of North Carolina at Chapel Hill's Cogeneration and Steam Infrastructure Improvements and Expansion capital project, the institution may accomplish the construction and financing of the Landfill Gas Utilization portion thereof notwithstanding the requirement in G.S. 116D-22(5) as to location of the special obligation project at the institution. The University of North Carolina at Chapel Hill may enter into any other required agreements as necessary for the completion of the improvements, notwithstanding any other provisions of the General Statutes governing such acquisition, negotiation, and execution of such rights-of-way, easements, leases, or other required agreements therefor.

## **PART II. REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS**

**SECTION 2.** Pursuant to Section 2(b) of S.L. 2000-3, the General Assembly finds that it is in the best interest of the State to respond to current educational and research program requirements at the University of North Carolina at Chapel Hill by reducing the scope of "Berryhill Laboratory Building – Comprehensive Renovation." The unused funds from "Berryhill Laboratory Building – Comprehensive Renovation" should be transferred to a new capital project "Division of Laboratory Animal Medicine Upfits." Section 2(a) of S.L. 2000-3 is therefore amended in the portion under the University of North Carolina at Chapel Hill by:

- (1) Reducing the portion to "Berryhill Laboratory Building – Comprehensive Renovation" by eight million six hundred thousand dollars (\$8,600,000) so that it reads two million one hundred thousand dollars (\$2,100,000); and
- (2) Adding a new project entitled "Division of Laboratory Animal Medicine – Upfits" with an amount of eight million six hundred thousand dollars (\$8,600,000).

## **PART III. PROCUREMENT MODIFICATIONS**

**SECTION 3.** G.S. 142-94 reads as rewritten:

### **"§ 142-94. Procurement of capital facilities.**

The provisions of Articles 3, 3B, 3C, 3D, and 8 of Chapter 143 of the General Statutes and any other laws or rules of the State that relate to the acquisition and construction of State property apply to the financing of capital facilities through the use of special indebtedness pursuant to this Article. This section does not apply to the construction and lease-purchase, including leases with an option to purchase at the end of the lease term for a nominal sum, of State office buildings pursuant to proposals submitted before the effective date

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of this Article in response to requests for proposals, to the extent any of those proposals, as they may be supplemented or amended, are approved by the Department of Administration and any of these leases or lease-purchase agreements are approved by the Council of State in accordance with G.S. 143-341(4)d2. With the exception of Article 8 of Chapter 143 of the General Statutes, this section does not apply to any special indebtedness issued pursuant to this Article for the purchase, construction, or operation of capital facilities by Gateway University Research Park, Inc., a joint Millennial Campus in Greensboro."

**PART IV. ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY**

**SECTION 4.1.** G.S. 116-11 is amended by adding a new subdivision to read:

"(12c) The Board of Governors may create one airport authority to support the missions of the University of North Carolina at Chapel Hill or the University of North Carolina Health Care System. An authority so created shall be a political subdivision of the State. The territorial jurisdiction of the authority shall be the county in which the the airport may be established under G.S. 116-271(c). Article 33 of this Chapter provides for such authorities."

**SECTION 4.2.** Chapter 116 of the General Statutes is amended by adding a new Article to read:

"Article 33.

"Airport Authorities.

**"§ 116-271. General provisions.**

(a) As provided by G.S. 116-11(12c), the Board of Governors may create one airport authority to support the missions of the University of North Carolina at Chapel Hill or the University of North Carolina Health Care System. An authority so created shall be a political subdivision of the State. The territorial jurisdiction of the authority shall be the county in which the airport may be established under subsection (c) of this section.

(b) To create an airport authority under this Article, the Board of Governors by resolution shall:

- (1) Name the authority.
- (2) Describe the input from affected local jurisdictions.
- (3) Consider eligibility for State and federal funding.
- (4) Find that the authority is essential to support the missions of The University of North Carolina.

(c) An airport established under this Article may only be established in Orange County. The sole purpose of the authority is to resite Horace Williams Airport and operate the resited airport.

(d) No member of the General Assembly may serve on an airport authority created under this Article.

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**"§ 116-272. Single or multi-institution authority membership.**

(a) Where an airport authority is created to support the mission of the University of North Carolina at Chapel Hill, it shall consist of 15 members appointed as follows:

- (1) One member shall be appointed by the General Assembly for a three-year term upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121;
- (2) One member shall be appointed by the General Assembly for a three-year term upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121;
- (3) Eight members shall be appointed to three-year terms by the Board of Governors upon recommendation of the Board of Trustees of the University of North Carolina at Chapel Hill, provided that four of the initial members so appointed shall serve terms of three years and four shall serve terms of two years;
- (4) Three members shall be appointed by the board of commissioners of the county having territorial jurisdiction over the authority as provided by subsection (b) of this section; and
- (5) Two members shall be appointed by the municipalities within that county as provided by subsection (c) of this section.

An airport authority may also be created to support the mission of one constituent institution and the University of North Carolina Health Care System. If the airport authority is created to support the mission of one constituent institution and the University of North Carolina Health Care System, then the eight members appointed by the Board of Governors shall include an equal number of representatives of the constituent institution and the University of North Carolina Health Care System. If it is impossible to appoint an equal number from each, then the Board of Governors shall determine a fair representation on the airport authority from each such entity.

(b) The board of commissioners of the county with territorial jurisdiction over the authority shall appoint three members. One of the initial members shall be appointed for a one-year term, one for a two-year term, and one for a three-year term. Successors shall be appointed for three-year terms.

(c) The municipality with the largest population within the county having territorial jurisdiction over the authority based on the most recent decennial federal census shall appoint one member for a two-year term. The municipalities with the second and third largest populations within that county based on the most recent decennial federal census shall alternately appoint one member for a two-year term, with the second largest municipality making the initial appointment.

(d) All vacancies on the authority shall be filled by the governing

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board authorized to make the initial appointment, and the appointment is for the remainder of the unexpired term, except that vacancies in appointments made by the General Assembly shall be filled in accordance with G.S. 120-122.

**"§ 116-273. UNC Health Care System authority membership.**

(a) Where an airport authority is created to support the mission of the University of North Carolina Health Care System, it shall consist of 15 members appointed as follows:

- (1) One member shall be appointed by the General Assembly for a three-year term upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121;
- (2) One member shall be appointed by the General Assembly for a three-year term upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121;
- (3) Eight members shall be appointed to three-year terms by the Board of Directors, provided that four of the initial members so appointed shall serve terms of three years and three shall serve terms of two years;
- (4) Three members shall be appointed by the board of commissioners of the county or counties having territorial jurisdiction over the authority as provided by subsection (b) of this section; and
- (5) Two members shall be appointed by the municipalities within that county as provided by subsection (c) of this section.

(b) The board of commissioners of the county with territorial jurisdiction over the authority shall appoint three members. One of the initial members shall be appointed for a one-year term, one for a two-year term, and one for a three-year term. Successors shall be appointed for three-year terms.

(c) The municipality with the largest population within the county having territorial jurisdiction over the authority based on the most recent decennial federal census shall appoint one member for a two-year term. The municipalities with the second and third largest populations within that county based on the most recent decennial federal census shall alternately appoint one member for a two-year term, with the second largest municipality making the initial appointment.

(d) All vacancies on the authority shall be filled by the governing board authorized to make the initial appointment, and the appointment is for the remainder of the unexpired term, except vacancies in appointments made by the General Assembly shall be filled in accordance with G.S. 120-122.

**"§ 116-274. General powers.**

(a) An authority created under this Article has all powers that a city or county has under Articles 1 through 7 of Chapter 63 of the General Statutes and, in regard to financing capital expenditures and operations, shall have such powers as are delegated to or conferred upon the constituent institutions or the

University of North Carolina Health Care System. Notwithstanding other provisions of law, both regulations adopted by an authority under this Article and development regulations adopted by a county or municipality under Article 18 of Chapter 153A or Article 19 of Chapter 160A of the General Statutes shall be applicable to land owned by and the approaches to land owned by an authority created under this Article. In the event the regulations conflict, the more restrictive regulation applies.

(b) In addition to the powers granted by subsection (a) of this section, an authority created under this Article has the following powers:

- (1) To sue and be sued in the name of the airport authority, and all pleadings served upon the airport authority shall be served on the chairperson or secretary of the airport authority.
- (2) To expend funds appropriated to it from time to time for airport purposes and to expend funds received by the authority from fees, charges, rents, and dues arising out of the operation of the airport, the facilities, improvements, and concessions located thereat or operated thereon.
- (3) To establish, construct, control, lease, maintain, improve, operate, and regulate an airport on lands acquired by it with buildings necessary to accommodate all types of business to operate an airport, runways, taxi ramps, parking ramps, and any equipment to operate an airport, to have complete authority for rules and regulations over all airport property for the control of all types of vehicular traffic, mobile or stationary, and pedestrian traffic with respect to areas or roadways not under the control of the Department of Transportation and any rules adopted by the airport authority for property exclusively under its control, and to have conjunctive authority to work with and cooperate with all duly constituted law enforcement agencies to enforce rules established by the State of North Carolina. The penalty for violation of rules established by the airport authority shall be a Class 3 misdemeanor and, upon conviction, shall be punishable by a fine not to exceed fifty dollars (\$50.00) or imprisonment not to exceed 30 days. All rules and regulations so adopted by the airport authority shall be recorded by delivering true copies thereof certified by the chairperson and secretary of the authority to the Secretary of the Board of Governors and to the Secretary of State.
- (4) The authority may acquire by purchase or gift any property for the purpose of establishing, extending, enlarging, or improving an airport. The authority does not possess the power of eminent domain over property held on July 1, 2008 by a tax-exempt Internal Revenue Code

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section 501(c)(3) organization organized for educational purposes. In all other cases, the authority possesses the power of eminent domain and may acquire property by eminent domain for the purpose of establishing, extending, enlarging, or improving an airport. In cases where the authority may exercise the power of eminent domain, the authority is declared to be a local public condemnor under the provisions of Chapter 40A of the General Statutes and in exercising the powers of eminent domain shall follow the procedures of Article 3 of Chapter 40A of the General Statutes. Title to the property and the right of immediate possession shall vest pursuant to subsection (a) of G.S. 40A-42. If property acquired by condemnation contains a burial ground or graveyard, then it shall be lawful for the airport authority after 30 days' notice to the surviving spouse, or the next of kin of the deceased buried therein, or the person in control of the graves, if any are known, to remove the body interred therein and reinter the same in some cemetery in the same county. If no surviving spouse or next of kin or person in control can be found, then the airport authority can advertise for four consecutive weeks in a newspaper published in the county of the intended removal of the gravesite, and the removal shall be conducted under the supervision of the clerk of the superior court for that county or his or her representative, and the expense of such removal shall be borne by the airport authority. The airport authority may dispose of any real or personal property belonging to it according to the procedures described in Article 12 of Chapter 160A of the General Statutes.

- (5) To lease to other entities for a term not to exceed 20 years and for purposes not inconsistent with airport purposes or usage, real or personal property or both, under the supervision of or administered by the airport authority.
- (6) To contract with persons, firms, or corporations for terms not to exceed 20 years, for the operation of passenger and freight flights, scheduled or nonscheduled, and any other plane or flight activities not inconsistent with airport operations and to charge and collect reasonable fees, charges, and rents for the use of such property and services rendered in the operation thereof.
- (7) To operate, own, control, regulate, lease, or grant to others the license to operate amusements or concessions for a term not exceeding 20 years.
- (8) To enter into contracts to pledge as security the property of the airport authority.

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- (9) To pledge any lease agreement to which it is a party as security for any loan.
- (10) To adopt and use a seal.
- (11) To contract with the Federal Aviation Administration of the United States of America or with the State of North Carolina or with any of the agencies or representatives of either of said governmental bodies relating to the grading, constructing, equipping, improving, maintaining, or operating of an airport or its facilities, or both.
- (12) To receive refunds of sales and use taxes under G.S. 105-164.14(c).
- (13) To accept grants, loans, or contributions from the United States, the State of North Carolina, or any agency or instrumentality of either of them, or from any county or other municipality, and to expend the proceeds for any purposes of the authority.
- (14) To accept grants, loans, or contributions from nonprofit organizations and to expend the proceeds for any purposes of the authority.
- (15) To adopt organizational bylaws that shall include, but not be limited to, provision for election, duties, and terms of a Chair and Secretary.
- (16) To borrow money in accordance with Article V of Chapter 159 of the General Statutes, provided that all powers and duties conferred on the Local Government Commission shall for purposes of this section be held by the Board of Governors.

(c) The authority shall enjoy governmental immunity, however, the authority may contract to insure itself and any of its officers, agents, or employees against liability for wrongful death or negligence or intentional damage to persons or property or against absolute liability for damage to persons or property caused by an act or omission of the authority or of any of its officers, agents, or employees when acting within the scope of their authority and the course of their employment. The members of the authority shall determine what liabilities and what officers, agents, and employees shall be covered by any insurance purchased pursuant to this provision.

Purchase of insurance pursuant to this provision waives the authority's governmental immunity to the extent of insurance coverage for any act or omission occurring in the exercise of a governmental function. By entering into an insurance contract with the authority, an insurer waives any defense based upon the governmental immunity of the authority.

If the authority has waived its governmental immunity pursuant to the foregoing provisions of this section, any person, or if he dies, his personal representative, sustaining damages as a result of an act or omission of the authority or any of its officers, agents, or employees occurring in the exercise of a governmental function, may sue the authority for recovery of damages. To the

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extent of the coverage of insurance purchased pursuant to this section, governmental immunity may not be a defense to the action. Otherwise, however, the authority has all defenses available to private litigants in any action brought pursuant to these provisions without restriction, limitation, or other effect whether the defense arises from common law or by virtue of a statute.

**"§ 116-275. Cessation of operation.**

In the event of cessation of the operation of an airport established under this Article, or the abandonment of any of the property acquired hereunder for airport purposes, the title to such real or personal property or rights under any existing lease shall vest in The University of North Carolina, and upon the sale of any property after cessation of operations, the proceeds therefrom shall first be distributed pro rata to the constituent university member or to the University of North Carolina Health Care System to reimburse their or their affiliated foundations' investments in the authority and thereafter shall vest in the University."

**PART V. INTEREST RATE FOR SCHOLARSHIP LOAN PROGRAMS**

**SECTION 5.1.** G.S. 90-171.62(a) reads as rewritten:

"(a) All scholarship loans shall be evidenced by notes made payable to the State Education Assistance Authority that bear interest at ~~the rate of~~ a rate not to exceed ten percent (10%) per year as set by the Authority and beginning 90 days after completion of the nursing education program, or 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan may be terminated upon the recipient's withdrawal from school or by the recipient's failure to meet the standards set by the Commission."

**SECTION 5.2.** G.S. 90-171.101(a) reads as rewritten:

"(a) All scholarship loans shall be evidenced by notes made payable to the State Education Assistance Authority that bear interest at ~~the rate of~~ a rate not to exceed ten percent (10%) per year as set by the Authority and beginning 90 days after completion of the nursing education program, or 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan may be terminated upon the recipient's withdrawal from school or by the recipient's failure to meet the standards set by the Commission."

**SECTION 5.3.** G.S. 116-74.43(a) reads as rewritten:

"(a) All scholarship loans shall be evidenced by notes made payable to the State Education Assistance Authority that bear interest at ~~the rate of~~ a rate not to exceed ten percent (10%) per year as set by the Authority and beginning 90 days after completion of the school administrator program, or 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan may be terminated upon the recipient's withdrawal from school or by the recipient's failure to meet the standards set by the Commission."

**SECTION 5.4.** This section becomes effective January 1, 2009, and applies to all scholarship loans issued on and after July 1, 2009.

**PART VI. MODIFY TRAC RESPONSIBILITIES**

**SECTION 6.1.** G.S. 143-433.6 reads as rewritten:

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**"§ 143-433.6. Legislative findings.**

(a) The General Assembly finds and determines that the Tax Reform Act of 1984 established a federal volume limitation upon the aggregate amount of "private activity bonds" that may be issued by each state; that, pursuant to Section 103(n) of the Internal Revenue Code of 1954, as amended, a previous Governor of North Carolina issued Executive Order 113 proclaiming a formula for allocating the federal volume limitation for North Carolina; that on October 22, 1986, the Tax Reform Act of 1986, hereinafter referred to as the "Tax Reform Act", was enacted; that the Tax Reform Act (i) establishes a new unified limitation for private activity bonds on a state by state basis, (ii) establishes a new definition of the types of private activity bonds to be included under those new limitations, (iii) establishes a new low-income housing credit to induce the construction of and the improvement of housing for low-income people, and (iv) limits the aggregate use of this low-income housing credit on a state by state basis; that the Tax Reform Act provides for federal formulas for the allocation of these "state by state" resources, and also provides for states which cannot use the federal formula for allocation to set allocation procedures and formulas which are more appropriate for the individual states; that the Tax Reform Act gives authority for the legislature of each state to formulate and execute plans for allocation; and that Section 146 of the Internal Revenue Code of 1986, as amended, and Section 42 of the Internal Revenue Code of 1986, as amended, will require continued inquiry and study in the ways in which North Carolina can best and most fairly manage and utilize resources provided therein.

(b) The General Assembly further finds and determines that the Economic Growth and Tax Relief Reconciliation Act of 2001 added new subsections (a)(13) and (k) to section 142 of the Internal Revenue Code of 1986, as amended, which (i) establish a new type of private activity bond that can be issued to finance "qualified public educational facilities," (ii) establish an annual aggregate limitation on the face amount of qualified public educational facility bonds that may be issued on a state-by-state basis, (iii) provide that each state may allocate the annual aggregate limitation for any calendar year in such manner as each state determines appropriate, and (iv) provide for an elective carryforward by each state of the unused annual aggregate limitation; and that subsections (a)(13) and (k) will require continued inquiry and study in the ways in which North Carolina can best and most fairly manage and utilize the resource provided therein."

**SECTION 6.2.** G.S. 143-433.8 reads as rewritten:

**"§ 143-433.8. Duties.**

The Committee ~~may~~ shall perform the following duties:

- (1) Manage the allocation of ~~tax-exempt private activity bonds and low-income housing credits~~ private activity bonds, low-income housing credits, and qualified public educational facility bonds and receive advice from bond issuers, elected officials, and the General Assembly.

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- (2) Continue to monitor bond markets, economic development financing trends, school financing trends, housing markets, and tax incentives available to induce events and programs favorable to North Carolina, its cities and counties, and individual citizens.
- (3) Continue to study the ways in which North Carolina can best and most fairly manage and utilize the allocation of ~~private activity bonds and low-income housing credits~~ private activity bonds, low-income housing credits, and qualified public educational facility bonds.
- (4) Report to the Governor, Lieutenant Governor, ~~and the Speaker of the House of Representatives~~ Representatives, the President Pro Tempore of the Senate, and the Revenue Laws Study Committee as requested and on not less than an annual basis. The annual report is due by November 1 of each year."

**SECTION 6.3.** G.S. 143-433.9(a) reads as rewritten:

"(a) To provide for the orderly and prompt issuance of private activity bonds and qualified public educational facility bonds, there are hereby proclaimed formulas for allocating the following: (i) the unified volume limitation and limitation, (ii) the state housing credit ceiling-ceiling, and (iii) the annual aggregate limitation on the face amount of qualified public educational facility bonds. The unified volume limitation for all issues of private activity bonds, other than qualified public educational facility bonds, in North Carolina shall be considered as a single resource to be allocated under this Article. The annual aggregate limitation on the face amount of qualified public educational facility bonds for all issues in North Carolina shall be considered as a single resource to be allocated under this Article. The Committee shall issue the following: (i) allocations of the unified volume limitation and shall issue limitation, (ii) allocations of the State Housing Credit Ceiling-state housing credit ceiling, and (iii) allocations of the aggregate limitation on the face amount of qualified public educational facility bonds. The Committee shall set forth procedures for making such allocations and in the making of such allocations shall take into consideration the best interest of the State of North Carolina with regard to the economic ~~development~~ development, school facility needs, and general prosperity of the people of North Carolina. The Committee shall make all elective carryforwards of the unused unified volume limitation and the annual aggregate limitation on the face amount of qualified public educational facility bonds on behalf of the State."

**SECTION 6.4.** This section is effective when it becomes law.

**PART VII. EFFECTIVE DATE**

**SECTION 7.** Except as otherwise provided, this act is effective when it becomes law.

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The Conference Report, which changes the title, is placed on the Calendar for Thursday, July 17, for adoption, upon second reading.

Pursuant to Senator Rand's motion to adjourn having prevailed, the Senate adjourns at 9:13 P.M.

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### ONE HUNDRED FIFTY-SECOND DAY

Senate Chamber  
Thursday, July 17, 2008

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

Prayer is offered by The Reverend Lin Carter, Associate Minister, First Baptist Church, Raleigh, North Carolina as follows:

"Gracious God, you have given us another day to live and work, to play and serve. We acknowledge that all that we have is from you. Thank you for the air we breathe, for the food we eat, and for your presence that sustains us. Help us to see that all that is, is yours, and that we are simply the stewards of it. Bless us with wisdom to accept your grace and to be instruments of your grace in our daily lives. Amen."

The Chair grants leaves of absence for today to Senator Dannelly, Senator Graham, Senator Hagan, Senator Jones and Senator Shaw.

Senator Clodfelter announces that the Journal of Wednesday, July 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

*The Chair extends privileges of the floor to Dr. Cedric Bright from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Jessica Gerdes from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.*

### CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 2397** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF

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EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO AUTHORIZE EMPLOYING ENTITIES OF THE GENERAL ASSEMBLY TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF PROSPECTIVE AND CURRENT EMPLOYEES, upon second reading.

Upon motion of Senator Rand, the Committee Substitute bill No. 3 is withdrawn from today's Calendar and is re-referred to the **Judiciary II Committee**.

**H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS.

Upon motion of Senator Rand, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 2558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE, upon third reading.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 132**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE, and requests conferees, Speaker Hackney appoints:

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Representative Blue, Chair  
Representative Love  
Representative Weiss, and  
Representative Moore

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**CALENDAR** (*continued*)

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS, upon third reading.

Upon motion of Senator McKissick, the Chair orders, without objection, the bill temporarily displaced.

**H.B. 2755**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Forrest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 2756**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East,

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Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--45.

Voting in the negative: None.

The bill is ordered enrolled.

**S.B. 1631** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY HOW PUBLIC BODIES IN HYDE COUNTY MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill (45-0) and the bill is ordered enrolled.

**S.B. 1977** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF LELAND AND SPENCER TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the Senate concurs in the House Committee Substitute bill (45-0) and the bill is ordered enrolled.

**S.B. 2123** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McKissick, the Senate concurs in the House Committee Substitute bill (45-0) and the bill is ordered enrolled.

**H.B. 2409**, A BILL TO BE ENTITLED AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein--45.

Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor by special message.

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**H.B. 2498** (Committee Substitute), A BILL TO BE ENTITLED AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon third reading with Amendment No. 1 pending.

Senator Berger of Franklin withdraws Amendment No. 1 and the question before the Body becomes the passage of the Committee Substitute bill on its third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 83** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF DOMESTIC CRIMINAL TRESPASS BY

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MAKING IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSONS COVERED BY THE PROTECTIVE ORDER ARE PRESENT ON THE PREMISES AND TO PROVIDE THAT IT IS AN AGGRAVATING CIRCUMSTANCE FOR FIRST DEGREE MURDER IF A DEFENDANT WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER COMMITS A MURDER ON THE PREMISES OF A SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE.

Senator Snow offers Amendment No. 1 which is adopted (45-0), and changes the title to read **S.B. 83** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF DOMESTIC CRIMINAL TRESPASS BY MAKING IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSONS COVERED BY THE PROTECTIVE ORDER ARE PRESENT ON THE PREMISES AND TO PROVIDE THAT IT IS AN AGGRAVATING CIRCUMSTANCE FOR FIRST DEGREE MURDER IF A DEFENDANT WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER COMMITS A MURDER ON THE PREMISES OF A SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE, AND TO LIMIT THE LIABILITY OF DOMESTIC VIOLENCE SHELTERS AND PERSONS ASSOCIATED WITH THOSE SHELTERS.

The Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 685** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., TO RETAIN UNEXPENDED FUNDS FOR THE 2007-2008 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER.

Senator Purcell offers Amendment No. 1 which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its second (45-0) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**H.B. 2499** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Upon motion of Senator Apodaca, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

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**H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1624** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER.

Senator Nesbitt offers Amendment No. 1 which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its third reading (45-0) and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

*Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Perdue, who presides.*

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

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

**S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

The Senate recesses at 11:33 A.M. subject to receipt of messages from the House of Representatives, committee reports, conference reports, and ratification of bills to reconvene at 12:15 P.M.

#### **RECESS**

#### **ENROLLED BILLS AND RESOLUTIONS**

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

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**S.B. 741**, AN ACT TO AMEND THE LAW GOVERNING ADVANCE PAYMENTS BY NONPROFIT ORGANIZATIONS AND INDIAN TRIBES.

**S.B. 963**, AN ACT RELATING TO THE HOURS OF LABOR AND OVERTIME COMPENSATION OF MEMBERS OF MUNICIPAL FIRE DEPARTMENTS.

**S.B. 1652**, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS.

**S.B. 1695**, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**S.B. 1799**, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE.

**H.B. 887**, AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING.

**H.B. 1563**, AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS.

**H.B. 2341**, AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

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**H.B. 2353**, AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS AND TO ADD TWO MORE LEGISLATIVE APPOINTMENTS TO THE NORTH CAROLINA APPRAISAL BOARD.

**H.B. 2570**, AN ACT TO AUTHORIZE THE MOVEMENT OF TRAILER FRAMES NOT EXCEEDING FOURTEEN FEET IN WIDTH TO ANOTHER LOCATION NO FARTHER THAN THREE MILES AWAY FROM THE POINT OF ORIGIN FOR CONTINUED MANUFACTURING OF THE TRANSFER TRAILER WITH AN ANNUAL PERMIT.

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**H.B. 472**, AN ACT TO MOVE ELECTIONS FOR THE TOWN OF ROPER TO THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN ODD-NUMBERED YEARS. (Became law upon ratification, July 16, 2008 - S.L. 2008-104.)

**H.B. 2267**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE VILLAGE OF WHISPERING PINES. (Became law upon ratification, July 16, 2008 - S.L. 2008-105.)

**H.B. 2779**, AN ACT TO AMEND THE LAW PROHIBITING THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY. (Became law upon ratification, July 16, 2008 - S.L. 2008-106.)

**H.B. 2436**, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2007, TO AUTHORIZE INDEBTEDNESS FOR CAPITAL PROJECTS, AND TO MAKE VARIOUS TAX LAW AND FEE CHANGES. (Became law upon approval of the Governor, July 16, 2008 - S.L. 2008-107.)

**H.B. 2279**, AN ACT TO REPEAL THE PERMIT EXEMPTION FOR OPEN FIRES WITHIN ONE HUNDRED FEET OF AN OCCUPIED DWELLING WITHIN THE LAKE ROYALE COMMUNITY. (Became law upon ratification, July 16, 2008 - S.L. 2008-108.)

#### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1214**, AN ACT TO AMEND THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS.

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**H.B. 819**, AN ACT TO AMEND THE REQUIREMENTS GOVERNING MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT, TO PROVIDE FOR MANAGEMENT OF DISCARDED TELEVISIONS, TO DELAY THE EFFECTIVE DATE UNTIL 1 JANUARY 2010, AND TO MAKE OTHER CONFORMING AND TECHNICAL CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 964**, AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTING, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES.

**H.B. 1134**, AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES.

**H.B. 2167**, AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS.

**H.B. 2492**, AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY, BASED ON RECOMMENDATIONS BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.

**H.B. 2530**, AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS.

**H.B. 2623**, AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION.

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

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**S.B. 2157**, AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY.

**H.B. 2788**, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE.

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

*Upon the appearance of Senator Jones in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

**CALENDAR** (*continued*)

**H.B. 2340** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES.

Senator Purcell offers Amendment No. 1 which is adopted (43-1).

The Senate Committee Substitute bill, as amended, passes its second (26-20) and third readings and is ordered engrossed and sent to the House of Representatives by special message for concurrence.

**S.B. 1627** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM, for concurrence in the House Committee Substitute bill No. 2 upon third reading.

Upon motion of Senator Weinstein, the Senate concurs in the House Committee Substitute bill No. 2 on its third reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

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**S.B. 1697** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540, for concurrence in the House Committee Substitute bill upon third reading.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 45, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: Senator Kinnaird---1.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 845** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill.

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Upon motion of Senator Albertson, the Senate fails to concur in the House Committee Substitute bill (1-44).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1046** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO STUDY THE IMPACTS ON THE STATE OF NORTH CAROLINA OF THE POTENTIAL ISSUANCE OF A FIFTY-YEAR LICENSE BY THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE OPERATION OF THE YADKIN HYDROELECTRIC PROJECT, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill No. 3, (46-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1770** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED, TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS, AND TO STUDY DEATH REPORTING REQUIREMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Nesbitt, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1796** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE SPECIAL ASSISTANCE PROGRAM, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Dalton, the Senate concurs in the House Committee Substitute bill (45-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1797** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Jenkins, the Senate concurs in the House Committee Substitute bill No. 2, (45-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 2075** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION

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AND TO PROVIDE FOR A TEMPORARY INCREASE IN THE CAP ON AMOUNTS COMMITTED UNDER THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Berger of Franklin, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1878** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, for adoption upon second reading.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report on its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: None.

The Conference Report remains on the Calendar for Thursday, July 18, for adoption upon third reading.

**S.B. 1925** (Conference Report), AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF

NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, for adoption upon second reading.

Upon motion of Senator Rand, the Senate adopts the Conference Report on its second reading, by roll-call vote, ayes 45, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---45.

Voting in the negative: Senator Apodaca---1.

The Conference Report remains on the Calendar for Thursday, July 18, for adoption upon third reading.

**H.B. 1366** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT.

Upon motion of Senator Berger of Franklin, the President orders, without objection, the Conference Report temporarily displaced.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 845** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS

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THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 845 earlier today and the motion by Senator Albertson to appoint conferees having prevailed, Senator Soles announces the appointment of Senator Albertson, Chair; Senator Clodfelter; Senator Bingham; and Senator Atwater as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

#### CALENDAR *(continued)*

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS, temporarily displaced earlier today upon third reading.

Upon motion of Senator Rand, the President orders, without objection, the bill temporarily displaced.

**H.B. 2558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE, temporarily displaced earlier today upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---46.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS, temporarily displaced earlier today.

Upon motion of Senator Berger of Franklin, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

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**H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, temporarily displaced earlier today.

Upon motion of Senator Clodfelter, the President orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 2499** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, temporarily displaced earlier today.

Senator Jacumin offers Amendment No. 1 which is adopted (41-5).

Senator Berger of Rockingham offers Amendment No. 2 which is adopted (26-19).

Upon motion of Senator Clodfelter, the President orders, without objection, the Senate Committee Substitute bill, as amended, temporarily displaced.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 2056**, AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES.

**H.B. 2498**, AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL

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TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**S.B. 1631**, AN ACT TO CLARIFY HOW PUBLIC BODIES IN HYDE COUNTY MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION.

**S.B. 1977**, AN ACT TO ALLOW THE TOWNS OF LELAND AND SPENCER TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION.

**S.B. 2123**, AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY.

**H.B. 2755**, AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS.

**H.B. 2756**, AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN.

**S.J.R. 1634**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF DAVID MCCOY AS STATE CONTROLLER. (Res. 30)

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

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**S.B. 2157**, AN ACT RELATING TO THE PAYMENT OF ASSESSMENTS IN FULL OR BY INSTALLMENTS IN CUMBERLAND COUNTY. (Became law upon ratification, July 17, 2008 - S.L. 2008-109.)

**H.B. 2788**, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE. (Became law upon ratification, July 17, 2008 - S.L. 2008-110.)

*The Honorable Beverly E. Perdue, Lieutenant Governor, relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.*

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 1230**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT, and requests conferees.

Speaker Hackney has appointed:

Representative Gibson, Chair  
Representative Lucas, and  
Representative Starnes

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 2214** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN EXISTING CHARTER SCHOOLS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

**H.B. 2382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY.

Referred to the **State & Local Government Committee**.

**H.B. 2136**, A BILL TO BE ENTITLED AN ACT TO PREVENT THE STATE OF NORTH CAROLINA FROM PARTICIPATING IN OR COMPLYING WITH THE REAL ID ACT OF 2005.

Referred to the **Commerce, Small Business and Entrepreneurship Committee**.

**S.B. 4** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE COLLECTION AND REPORTING OF RACE AND ETHNICITY DATA TO PUBLIC HEALTH OFFICIALS AND TO THE STATEWIDE DATA PROCESSOR, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

**S.B. 685** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS

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BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on today's Supplemental Calendar for concurrence.

**S.B. 1259** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WATER SUPPLIED BY A PUBLIC WATER SYSTEM REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT IS NOT SUBJECT TO CERTAIN WARRANTIES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

**S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on today's Supplemental Calendar for concurrence.

#### ANNOUNCEMENT OF DISASTER PLAN

Senator Rand makes the following announcement regarding the convening of the General Assembly during a natural disaster, act of terror, or any other event and asks that the words be spread upon the Journal, as follows:

"In the event of a disaster, natural or otherwise, that precludes the General Assembly from meeting in the Legislative Building, the members will be notified by the President *Pro Tempore* where and when the Senate will convene."

#### CALENDAR *(continued)*

**H.B. 2690**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS, temporarily displaced earlier today upon third reading.

Senator Apodaca offers Amendment No. 1 which fails of adoption (19-25).

Senator Dalton announces a pair vote. If Senator Dannelly were present, he would vote "aye"; Senator Dalton votes "no".

Senator Queen announces a pair vote. If Senator Shaw were present, he would vote "aye"; Senator Queen votes "no".

Senator Hoyle announces a pair vote. If Senator Graham were present, he would vote "aye"; Senator Hoyle votes "no".

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The bill passes its third reading, by roll-call vote, ayes 22, noes 19, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Clodfelter, Cowell, Dorsett, Hartsell, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Purcell, Rand, Snow, Soles, Stevens and Weinstein---22.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Brock, Brown, Brunstetter, East, Forrester, Garrou, Goodall, Goss, Hunt, Jacumin, Jenkins, Preston, Rucho, Smith, Swindell and Tillman---19.

The bill is ordered enrolled.

The Senate recesses at 2:10 P.M. for the purpose of a Judiciary II Committee meeting to reconvene at 3:00 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.

### CONFERENCE REPORT

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 933** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 933, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE PUNISHABLE BY EITHER LIFE IMPRISONMENT WITHOUT PAROLE OR A MANDATORY ACTIVE SENTENCE OF TWENTY-FIVE YEARS AND LIFETIME SATELLITE-BASED MONITORING, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS, Senate Judiciary I (Civil) Committee Substitute #2 Adopted 6/11/08, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary I (Civil) Committee Substitute #2 Adopted 6/11/08 and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H933-PCCS80640-RK-5.

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

Date Conferees approved report: July 17, 2008.

*Conferees for the Senate*

S/Tony Rand, Chair  
 S/David W. Hoyle  
 S/Walter H. Dalton  
 S/Julia Boseman  
 S/Fletcher L. Hartsell, Jr.

*Conferees for the House of Representatives*

S/Rick Glazier, Chair  
 S/Dan Blue  
 S/Julia C. Howard  
 S/Tim Moore  
 S/Jimmy L. Love, Sr.

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The text of the attached Proposed Conference Committee Substitute, H933-PCCS80640-RK-5 is as follows:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE CLASS B1 FELONIES AND THE OFFENDER SHALL NOT RECEIVE ACTIVE PUNISHMENT OF LESS THAN THREE HUNDRED MONTHS FOLLOWED BY LIFETIME SATELLITE-BASED MONITORING OR THE POSSIBILITY OF LIFE IMPRISONMENT WITHOUT PAROLE, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 7A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-27.2A. Rape of a child; adult offender.**

(a) A person is guilty of rape of a child if the person is at least 18 years of age and engages in vaginal intercourse with a victim who is a child under the age of 13 years.

(b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.

(c) Notwithstanding the provisions of Article 81B of Chapter 15A of the General Statutes, the court may sentence the defendant to active punishment for a term of months greater than that authorized pursuant to G.S. 15A-1340.17, up to and including life imprisonment without parole, if the court finds that the nature of the offense and the harm inflicted are of such brutality, duration, severity, degree, or scope beyond that normally committed in such crimes, or considered in basic aggravation of these crimes, so as to require a sentence to

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active punishment in excess of that authorized pursuant to G.S. 15A-1340.17. If the court sentences the defendant pursuant to this subsection, it shall make findings of fact supporting its decision, to include matters it considered as egregious aggravation. Egregious aggravation can include further consideration of existing aggravating factors where the conduct of the defendant falls outside the heartland of cases even the aggravating factors were designed to cover. Egregious aggravation may also be considered based on the extraordinarily young age of the victim, or the depraved torture or mutilation of the victim, or extraordinary physical pain inflicted on the victim.

(d) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes.

(e) The offense under G.S. 14-27.2(a)(1) is a lesser included offense of the offense in this section."

**SECTION 2.** Article 7A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-27.4A. Sexual offense with a child; adult offender.**

(a) A person is guilty of sexual offense with a child if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of 13 years.

(b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.

(c) Notwithstanding the provisions of Article 81B of Chapter 15A of the General Statutes, the court may sentence the defendant to active punishment for a term of months greater than that authorized pursuant to G.S. 15A-1340.17, up to and including life imprisonment without parole, if the court finds that the nature of the offense and the harm inflicted are of such brutality, duration, severity, degree, or scope beyond that normally committed in such crimes, or considered in basic aggravation of these crimes, so as to require a sentence to active punishment in excess of that authorized pursuant to G.S. 15A-1340.17. If the court sentences the defendant pursuant to this subsection, it shall make findings of fact supporting its decision, to include matters it considered as egregious aggravation. Egregious aggravation can include further consideration of existing aggravating factors where the conduct of the defendant falls outside the heartland of cases even the aggravating factors were designed to cover. Egregious aggravation may also be considered based on the extraordinarily young age of the victim, or the depraved torture or mutilation of the victim, or extraordinary physical pain inflicted on the victim.

(d) The offense under G.S. 14-27.4(a)(1) is a lesser included offense of the offense in this section."

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**SECTION 3.** G.S. 14-190.16 reads as rewritten:

**"§ 14-190.16. First degree sexual exploitation of a minor.**

(a) Offense. – A person commits the offense of first degree sexual exploitation of a minor if, knowing the character or content of the material or performance, he:

...

(d) Punishment and Sentencing. – Violation of this section is a ~~Class D felony~~ Class C felony."

**SECTION 4.** G.S. 14-190.17 reads as rewritten:

**"§ 14-190.17. Second degree sexual exploitation of a minor.**

(a) Offense. – A person commits the offense of second degree sexual exploitation of a minor if, knowing the character or content of the material, he:

...

(d) Punishment and Sentencing. – Violation of this section is a ~~Class F felony~~ Class E felony."

**SECTION 5.** G.S. 14-190.17A reads as rewritten:

**"§ 14-190.17A. Third degree sexual exploitation of a minor.**

(a) Offense. – A person commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a minor engaging in sexual activity.

...

(d) Punishment and Sentencing. – Violation of this section is a ~~Class I felony~~ Class H felony."

**SECTION 6.** G.S. 14-190.18 reads as rewritten:

**"§ 14-190.18. Promoting prostitution of a minor.**

(a) Offense. – A person commits the offense of promoting prostitution of a minor if he knowingly:

- (1) Entices, forces, encourages, or otherwise facilitates a minor to participate in prostitution; or
- (2) Supervises, supports, advises, or protects the prostitution of or by a minor.

(b) Mistake of Age. – Mistake of age is not a defense to a prosecution under this section.

(c) Punishment and Sentencing. – Violation of this section is a ~~Class D felony~~ Class C felony."

**SECTION 6.1.** G.S. 14-208.6(5) reads as rewritten:

"(5) 'Sexually violent offense' means a violation of G.S. 14-27.2 (first degree rape), G.S. 14-27.2A (rape of a child; adult offender), G.S. 14-27.3 (second degree rape), G.S. 14-27.4 (first degree sexual offense), G.S. 14-27.4A (sex offense with a child; adult offender), G.S. 14-27.5 (second degree sexual offense), G.S. 14-27.5A (sexual battery), G.S. 14-27.6 (attempted rape or sexual offense), G.S. 14-27.7 (intercourse and sexual offense with certain victims), G.S. 14-27.7A(a) (statutory rape or sexual

offense of person who is 13-, 14-, or 15-years-old where the defendant is at least six years older), G.S. 14-43.13 (subjecting or maintaining a person for sexual servitude), G.S. 14-178 (incest between near relatives), G.S. 14-190.6 (employing or permitting minor to assist in offenses against public morality and decency), G.S. 14-190.9(a1)(felonious indecent exposure), G.S. 14-190.16 (first degree sexual exploitation of a minor), G.S. 14-190.17 (second degree sexual exploitation of a minor), G.S. 14-190.17A (third degree sexual exploitation of a minor), G.S. 14-190.18 (promoting prostitution of a minor), G.S. 14-190.19 (participating in the prostitution of a minor), G.S. 14-202.1 (taking indecent liberties with children), or G.S. 14-202.3 (Solicitation of child by computer to commit an unlawful sex act). The term also includes the following: a solicitation or conspiracy to commit any of these offenses; aiding and abetting any of these offenses."

**SECTION 7.** G.S. 14-208.6A reads as rewritten:

**"§ 14-208.6A. Lifetime registration requirements for criminal offenders.**

It is the objective of the General Assembly to establish a ~~10-year~~ 30-year registration requirement for persons convicted of certain offenses against minors or sexually violent ~~offenses-offenses with an opportunity for those persons to petition in superior court to shorten their registration time period after 10 years of registration.~~ It is the further objective of the General Assembly to establish a more stringent set of registration requirements for recidivists, persons who commit aggravated offenses, and for a subclass of highly dangerous sex offenders who are determined by a sentencing court with the assistance of a board of experts to be sexually violent predators.

...."

**SECTION 8.** G.S. 14-208.7 reads as rewritten:

**"§ 14-208.7. Registration.**

(a) A person who is a State resident and who has a reportable conviction shall be required to maintain registration with the sheriff of the county where the person resides. If the person moves to North Carolina from outside this State, the person shall register within ~~10 days~~ three business days of establishing residence in this State, or whenever the person has been present in the State for 15 days, whichever comes first. If the person is a current resident of North Carolina, the person shall register:

- (1) Within ~~10 days~~ three business days of release from a penal institution or arrival in a county to live outside a penal institution; or
- (2) Immediately upon conviction for a reportable offense where an active term of imprisonment was not imposed.

Registration shall be maintained for a period of at least ~~10 years~~ 30 years following the date of initial county ~~registration-registration unless the person,~~

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after 10 years of registration, successfully petitions the superior court to shorten his or her registration time period under G.S. 14-208.12A.

...."

**SECTION 9.** G.S. 14-208.9 reads as rewritten:

**"§ 14-208.9. Change of address; change of academic status or educational employment status.**

(a) If a person required to register changes address, the person shall report in person and provide written notice of the new address not later than ~~the tenth day~~ the third business day after the change to the sheriff of the county with whom the person had last registered. If the person moves to another county, the person shall also report in person to the sheriff of the new county and provide written notice of the person's address not later than the tenth day after the change of address. Upon receipt of the notice, the sheriff shall immediately forward this information to the Division. When the Division receives notice from a sheriff that a person required to register is moving to another county in the State, the Division shall inform the sheriff of the new county of the person's new residence.

(b) If a person required to register intends to move to another state, the person shall report in person to the sheriff of the county of current residence at least ~~10 days~~ three business days before the date the person intends to leave this State to establish residence in another state or jurisdiction. The person shall provide to the sheriff a written notification that includes all of the following information: the address, municipality, county, and state of intended residence.

- (1) If it appears to the sheriff that the record photograph of the sex offender no longer provides a true and accurate likeness of the sex offender, then the sheriff shall take a photograph of the offender to update the registration.
- (2) The sheriff shall inform the person that the person must comply with the registration requirements in the new state of residence. The sheriff shall also immediately forward the information included in the notification to the Division, and the Division shall inform the appropriate state official in the state to which the registrant moves of the person's notification and new address.

(b1) A person who indicates his or her intent to reside in another state or jurisdiction and later decides to remain in this State shall, within ~~10 days~~ three business days after the date upon which the person indicated he or she would leave this State, report in person to the sheriff's office to which the person reported the intended change of residence, of his or her intent to remain in this State. If the sheriff is notified by the sexual offender that he or she intends to remain in this State, the sheriff shall promptly report this information to the Division.

(c) If a person required to register changes his or her academic status either by enrolling as a student or by terminating enrollment as a student, then the person shall, within ~~10 days~~ three business days, report in person to the sheriff of the county with whom the person registered and provide written notice

of the person's new status. The written notice shall include the name and address of the institution of higher education at which the student is or was enrolled. The sheriff shall immediately forward this information to the Division.

(d) If a person required to register changes his or her employment status either by obtaining employment at an institution of higher education or by terminating employment at an institution of higher education, then the person shall, within ~~10 days~~three business days, report in person to the sheriff of the county with whom the person registered and provide written notice of the person's new status not later than the tenth day after the change to the sheriff of the county with whom the person registered. The written notice shall include the name and address of the institution of higher education at which the person is or was employed. The sheriff shall immediately forward this information to the Division."

**SECTION 10.** G.S. 14-208.9A reads as rewritten:

**"§ 14-208.9A. Verification of registration information.**

(a) The information in the county registry shall be verified semiannually for each registrant as follows:

- (1) Every year on the anniversary of a person's initial registration date, and again six months after that date, the Division shall mail a nonforwardable verification form to the last reported address of the person.
- (2) The person shall return the verification form in person to the sheriff within ~~10 days~~three business days after the receipt of the form.
- (3) The verification form shall be signed by the person and shall indicate whether the person still resides at the address last reported to the sheriff. If the person has a different address, then the person shall indicate that fact and the new address.
- (3a) If it appears to the sheriff that the record photograph of the sex offender no longer provides a true and accurate likeness of the sex offender, then the sheriff shall take a photograph of the offender to include with the verification form.
- (4) If the person fails to return the verification form in person to the sheriff within ~~10 days~~three business days after receipt of the form, the person is subject to the penalties provided in G.S. 14-208.11. If the person fails to report in person and provide the written verification as provided by this section, the sheriff shall make a reasonable attempt to verify that the person is residing at the registered address. If the person cannot be found at the registered address and has failed to report a change of address, the person is subject to the penalties provided in G.S. 14-208.11, unless the person reports in person to the sheriff and proves that the person has not changed his or her residential address.

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(b) **Additional Verification May Be Required.** – During the period that an offender is required to be registered under this Article, the sheriff is authorized to attempt to verify that the offender continues to reside at the address last registered by the offender.

(c) **Additional Photograph May Be Required.** – If it appears to the sheriff that the current photograph of the sex offender no longer provides a true and accurate likeness of the sex offender, upon in-person notice from the sheriff, the sex offender shall allow the sheriff to take another photograph of the sex offender at the time of the sheriff's request. If requested by the sheriff, the sex offender shall appear in person at the sheriff's office during normal business hours within ~~72 hours~~ three business days of being requested to do so and shall allow the sheriff to take another photograph of the sex offender. A person who willfully fails to comply with this subsection is guilty of a Class 1 misdemeanor."

**SECTION 11.** G.S. 14-208.12A reads as rewritten:

**"§ 14-208.12A. Request for termination of registration requirement.**

(a) ~~A Ten years from the date of initial county registration, a person required to register under this Part may petition the superior court in the district where the person resides to terminate the 30-year registration requirement 40 years from the date of initial county registration~~ if the person has not been convicted of a subsequent offense requiring registration under this Article.

...."

**SECTION 12.** Article 27A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-208.18. Sex offender unlawfully on premises.**

(a) It shall be unlawful for any person required to register under this Article, if the offense requiring registration is described in subsection (b) of this section, to knowingly be at any of the following locations:

- (1) On the premises of any place intended primarily for the use, care, or supervision of minors, including, but not limited to, schools, children's museums, child care centers, nurseries, and playgrounds.
- (2) Within 300 feet of any location intended primarily for the use, care, or supervision of minors when the place is located on premises that are not intended primarily for the use, care, or supervision of minors, including, but not limited to, places described in subdivision (1) of this subsection that are located in malls, shopping centers, or other property open to the general public.
- (3) At any place where minors gather for regularly scheduled educational, recreational, or social programs.

(b) Notwithstanding any provision of this section, a person subject to subsection (a) of this section who is the parent or guardian of a minor may take the minor to any location that can provide emergency medical care treatment if the minor is in need of emergency medical care.

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(c) Subsection (a) of this section is applicable only to persons required to register under this Article who have committed any of the following offenses:

- (1) Any offense in Article 7A of this Chapter.
- (2) Any offense where the victim of the offense was under the age of 16 years at the time of the offense.

(d) A person subject to subsection (a) of this section who is a parent or guardian of a student enrolled in a school may be present on school property if all of the following conditions are met:

- (1) The parent or guardian is on school property for the purpose for one of the following:
  - a. To attend a conference at the school with school personnel to discuss the academic or social progress of the parents' or guardians' child; or
  - b. The presence of the parent or guardian has been requested by the principal or his or her designee for any other reason relating to the welfare or transportation of the child.
- (2) The parent or guardian complies with all of the following:
  - a. Notice: The parent or guardian shall notify the principal of the school of the parents' or guardians' registration under this Article and of his or her presence at the school unless the parent or guardian has permission to be present from the superintendent or the local board of education, or the principal has granted ongoing permission for regular visits of a routine nature. If permission is granted by the superintendent or the local board of education, the superintendent or chairman of the local board of education shall inform the principal of the school where the parents' or guardians' will be present. Notification includes the nature of the parents' or guardians' visit and the hours when the parent or guardian will be present at the school. The parent or guardian is responsible for notifying the principal's office upon arrival and upon departure. Any permission granted under this sub-subdivision shall be in writing.
  - b. Supervision: At all times that a parent or guardian is on school property, the parent or guardian shall remain under the direct supervision of school personnel. A parent or guardian shall not be on school property even if the parent or guardian has ongoing permission for regular visits of a routine nature if no school personnel are reasonably available to supervise the parent or guardian on that occasion.

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(e) A person subject to subsection (a) of this section who is eligible to vote may be present at a location described in subsection (a) used as a voting place as defined by G.S. 163-165 only for the purposes of voting and shall not be outside the voting enclosure other than for the purpose of entering and exiting the voting place. If the voting place is a school, then the person subject to subsection (a) shall notify the principal of the school that he or she is registered under this Article.

(f) A person subject to subsection (a) of this section who is eligible under G.S. 115C-378 to attend public school may be present on school property if permitted by the local board of education pursuant to G.S. 115C-391(d)(2).

(g) A juvenile subject to subsection (a) of this section may be present at a location described in that subsection if the juvenile is at the location to receive medical treatment or mental health services and remains under the direct supervision of an employee of the treating institution at all times.

(h) A violation of this section is a Class H felony."

**SECTION 12.1.** G.S. 115C-391(d) reads as rewritten:

**"§ 115C-391. Corporal punishment, suspension, or expulsion of pupils.**

(d) Notwithstanding ~~G.S. 115C-378~~, G.S. 115C-378:

(1) A local board of education may, upon recommendation of the principal and superintendent, expel any student 14 years of age or older whose behavior indicates that the student's continued presence in school constitutes a clear threat to the safety of other students or employees. The local board of education's decision to expel a student under this section shall be based on clear and convincing evidence. Prior to ordering the expulsion of a student pursuant to this ~~subsection~~ subdivision, the local board of education shall consider whether there is an alternative program offered by the local school administrative unit that may provide education services for the student who is subject to expulsion. At any time after the first July 1 that is at least six months after the board's decision to expel a student under this subsection, a student may request the local board of education to reconsider that decision. If the student demonstrates to the satisfaction of the local board of education that the student's presence in school no longer constitutes a threat to the safety of other students or employees, the board shall readmit the student to a school in that local school administrative unit on a date the board considers appropriate.

(2) A local board of education may expel any student subject to G.S. 14-208.18. The local board of education's decision to expel a student under this subdivision shall be based on clear and convincing evidence. Prior to ordering the expulsion of a student pursuant to this subdivision, the local board of education shall consider whether there is an

alternative program that may be offered by the local school administrative unit to provide educational services. As provided by G.S. 14-208.18(f), if the local board of education determines that a student shall be provided educational services on school property, the student must be under the supervision of school personnel at all times."

**SECTION 12.2.** G.S. 14-208.29 reads as rewritten:

**"§ 14-208.29. Registration information is not public record; access to registration information available only to law enforcement agencies, agencies and local boards of education.**

(a) Notwithstanding any other provision of law, the information regarding a juvenile required to register under this Part is not public record and is not available for public inspection.

(b) The registration information of a juvenile adjudicated delinquent and required to register under this Part shall be maintained separately by the sheriff and released only to law enforcement ~~agencies~~ agencies and local boards of education. Registry information for any juvenile enrolled in the local school administrative unit shall be forwarded to the local board of education. Under no circumstances shall the registration of a juvenile adjudicated delinquent be included in the county or statewide registries, or be made available to the public via internet."

**SECTION 13.** Article 27A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-208.25A. Community and public notification.**

The licensee for each licensed day care center and the principal of each elementary school, middle school, and high school shall register with the North Carolina Sex Offender and Public Protection Registry to receive e-mail notification when a registered sex offender moves within a one-mile radius of the licensed day care center or school."

**SECTION 14.** G.S. 14-208.27 reads as rewritten:

**"§ 14-208.27. Change of address.**

If a juvenile who is adjudicated delinquent and required to register changes address, the juvenile court counselor for the juvenile shall provide written notice of the new address not later than ~~the tenth day~~ the third business day after the change to the sheriff of the county with whom the juvenile had last registered. Upon receipt of the notice, the sheriff shall immediately forward this information to the Division. If the juvenile moves to another county in this State, the Division shall inform the sheriff of the new county of the juvenile's new residence."

**SECTION 15.** G.S. 14-208.28(2) reads as rewritten:

**"§ 14-208.28. Verification of registration information.**

...  
(2) The juvenile court counselor for the juvenile shall return the verification form to the sheriff within ~~10 days~~ three business days after the receipt of the form.

...."

**SECTION 16.** G.S. 14-208.40(a) reads as rewritten:

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**"§ 14-208.40. Establishment of program; creation of guidelines; duties.**

(a) The Department of Correction shall establish a sex offender monitoring program that uses a continuous satellite-based monitoring system and shall create guidelines to govern the program. The program shall be designed to monitor ~~two~~three categories of offenders as follows:

- (1) Any offender who is convicted of a reportable conviction as defined by G.S. 14-208.6(4) and who is required to register under Part 3 of Article 27A of Chapter 14 of the General Statutes because the defendant is classified as a sexually violent predator, is a recidivist, or was convicted of an aggravated offense as those terms are defined in G.S. 14-208.6.
- (2) Any offender who satisfies all of the following criteria: (i) is convicted of a reportable conviction as defined by G.S. 14-208.6(4), (ii) is required to register under Part 2 of Article 27A of Chapter 14 of the General Statutes, (iii) has committed an offense involving the physical, mental, or sexual abuse of a minor, and (iv) based on the Department's risk assessment program requires the highest possible level of supervision and monitoring.
- (3) Any offender who is convicted of G.S. 14-27.2A or G.S. 14-27.4A, who shall be enrolled in the satellite-based monitoring program for the offender's natural life upon termination of the offender's active punishment."

**SECTION 16.1.** G.S. 14-208.40A reads as rewritten:

**"§ 14-208.40A. Determination of satellite-based monitoring requirement by court.**

(a) When an offender is convicted of a reportable conviction as defined by G.S. 14-208.6(4), during the sentencing phase, the district attorney shall present to the court any evidence that (i) the offender has been classified as a sexually violent predator pursuant to G.S. 14-208.20, (ii) the offender is a recidivist, (iii) the conviction offense was an aggravated offense, ~~or (iv) (iv) the conviction offense was a violation of G.S. 14-27.2A or G.S. 14-27.4A,~~ or (v) the offense involved the physical, mental, or sexual abuse of a minor. The district attorney shall have no discretion to withhold any evidence required to be submitted to the court pursuant to this subsection.

The offender shall be allowed to present to the court any evidence that the district attorney's evidence is not correct.

(b) After receipt of the evidence from the parties, the court shall determine whether the offender's conviction places the offender in one of the categories described in G.S. 14-208.40(a), and if so, shall make a finding of fact of that determination, specifying whether (i) the offender has been classified as a sexually violent predator pursuant to G.S. 14-208.20, (ii) the offender is a recidivist, (iii) the conviction offense was an aggravated offense, ~~or (iv) (iv) the conviction offense was a violation of G.S. 14-27.2A or G.S. 14-27.4A,~~ or (v) the offense involved the physical, mental, or sexual abuse of a minor.

(c) If the court finds that the offender has been classified as a sexually violent predator, is a recidivist, ~~or~~ has committed an aggravated offense, or was convicted of G.S. 14-27.2A or G.S. 14-27.4A, the court shall order the offender to enroll in a satellite-based monitoring program for life.

(d) If the court finds that the offender committed an offense that involved the physical, mental, or sexual abuse of a minor, that the offense is not an aggravated offense, offense or a violation of G.S. 14-27.2A or G.S. 14-27.4A and the offender is not a recidivist, the court shall order that the Department do a risk assessment of the offender. The Department shall have a minimum of 30 days, but not more than 60 days, to complete the risk assessment of the offender and report the results to the court.

(e) Upon receipt of a risk assessment from the Department pursuant to subsection (d) of this section, the court shall determine whether, based on the Department's risk assessment, the offender requires the highest possible level of supervision and monitoring. If the court determines that the offender does require the highest possible level of supervision and monitoring, the court shall order the offender to enroll in a satellite-based monitoring program for a period of time to be specified by the court."

**SECTION 16.2.** G.S. 14-208.40B(c) reads as rewritten:

"(c) At the hearing, the court shall determine if the offender falls into one of the categories described in G.S. 14-208.40(a). The court shall hold the hearing and make findings of fact pursuant to G.S. 14-208.40A.

If the court finds that (i) the offender has been classified as a sexually violent predator pursuant to G.S. 14-208.20, (ii) the offender is a recidivist, ~~or~~ (iii) the conviction offense was an aggravated offense, or (iv) the conviction offense was a violation of G.S. 14-27.2A or G.S. 14-27.4A, the court shall order the offender to enroll in satellite-based monitoring for life.

If the court finds that the offender committed an offense that involved the physical, mental, or sexual abuse of a minor, that the offense is not an aggravated offense or a violation of G.S. 14-27.2A or G.S. 14-27.4A, and the offender is not a recidivist, the court shall order that the Department do a risk assessment of the offender. The Department shall have a minimum of 30 days, but not more than 60 days, to complete the risk assessment of the offender and report the results to the court. The Department may use a risk assessment of the offender done within six months of the date of the hearing.

Upon receipt of a risk assessment from the Department, the court shall determine whether, based on the Department's risk assessment, the offender requires the highest possible level of supervision and monitoring. If the court determines that the offender does require the highest possible level of supervision and monitoring, the court shall order the offender to enroll in a satellite-based monitoring program for a period of time to be specified by the court."

**SECTION 17.** G.S. 14-208.41 is amended by adding a new subsection to read:

"(c) Any person described by G.S. 14-208.40(a)(3), upon completion of active punishment, shall enroll in a satellite-based monitoring program with the

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Division of Community Corrections office in the county where the person resides. The person shall enroll in the satellite-based monitoring program for the entire period of post-release supervision and shall remain enrolled in the satellite-based monitoring program for the person's life, unless the requirement to enroll in the satellite-based monitoring program is terminated pursuant to G.S. 14-208.43."

**SECTION 18.** G.S. 14-208.43(a) reads as rewritten:

"(a) An offender described by G.S. ~~14-208.40(a)(1)~~14-208.40(a)(1) or G.S. 14-208.40(a)(3) who is required to submit to satellite-based monitoring for the offender's life may file a request for termination of monitoring requirement with the Post-Release Supervision and Parole Commission. The request to terminate the satellite-based monitoring requirement and to terminate the accompanying requirement of unsupervised probation may not be submitted until at least one year after the offender: (i) has served his or her sentence for the offense for which the satellite-based monitoring requirement was imposed, and (ii) has also completed any period of probation, parole, or post-release supervision imposed as part of the sentence."

**SECTION 19.** G.S. 15A-1345(b) reads as rewritten:

"(b) Bail Following Arrest for Probation Violation. – If at any time during the period of probation the probationer is arrested for a violation of any of the conditions of probation, he must be taken without unnecessary delay before a judicial official to have conditions of release pending a revocation hearing set in the same manner as provided in G.S. 15A-534. If the probationer has been convicted of an offense at any time that requires registration under Article 27A of Chapter 14 of the General Statutes or an offense that would have required registration but for the effective date of the law establishing the Sex Offender and Public Protection Registration Program, the court must make a finding that the probationer is not a danger to the public prior to release with or without bail."

**SECTION 20.** G.S. 15A-1368.6 is amended by adding a new subsection to read:

"(b1) Bail Following Arrest for Violation of Post-Release Supervision if Releasee Is a Sex Offender. – Notwithstanding subsection (b) of this section, if the releasee has been convicted of an offense that requires registration under Article 27A of Chapter 14 of the General Statutes and is arrested for a violation in accordance with this section, the releasee shall be detained without bond until the preliminary hearing is conducted."

**SECTION 21.** Part 6 of Article 22 of Chapter 115C of the General Statutes is amended by adding a new section to read:

**§ 115C-332.1. Sex offender registries checks for certain contractual personnel.**

(a) For purposes of this section, the term 'contractual personnel' includes any individual or entity under contract with the local board of education whose contractual job involves direct interaction with students as part of the job. For purposes of this section, the term 'contractual personnel' does not include any person covered under G.S. 115C-332.

(b) Each local board of education shall require, as a term of any contract the local board of education enters, that employers of a person who is contractual personnel conduct an annual check of that person on the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry. As a term of any contract, a local board of education shall prohibit any contractual personnel listed on the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry from having direct interaction with students."

**SECTION 21.1.** If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end the provisions of this act are severable.

**SECTION 21.2.** The Department of Justice shall study the guidelines issued by the United States Attorney for the federal Sex Offender Registration and Notification Act (SORNA) to determine whether North Carolina is in compliance with those guidelines. The Department of Justice shall identify any areas in which the State fails to comply with SORNA and the action required for compliance. The Attorney General, or his designee, shall report to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee by December 1, 2008, regarding the status of the State's compliance with SORNA and recommend any actions or State legislation that may be required to satisfy the SORNA guidelines.

**SECTION 22.** Section 21.2 is effective when it becomes law. The maintenance of the registration period of 30 years required by G.S. 14-208.7, as amended by Section 8 of this act, applies to registrations made on or after December 1, 2008. The remainder of this act becomes effective December 1, 2008, and applies to offenses committed on or after that date.

Upon motion of Senator Rand, the rules are suspended and the Conference Report, which changes the title, is placed on the Calendar for immediate consideration upon adoption.

Upon motion of Senator Rand, the Senate adopts the Conference Report (44-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill for

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H.B. 1230 and requests conferees, Senator Rand announces the appointment of Senator Weinstein, Chair, Senator Jenkins and Senator Apodaca as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**CALENDAR** *(continued)*

**H.B. 2499** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, temporarily displaced earlier today.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**SUPPLEMENTAL CALENDAR**

Bills on today's Supplemental Calendar are taken up and disposed of, as follows:

**S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY.

The Chair orders, without objection, the joint resolution temporarily displaced.

**H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS.

Upon motion of Senator Berger of Franklin, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY, temporarily displaced earlier today.

The joint resolution passes its second (44-1) and third readings and is ordered sent to the House of Representatives by special message.

*The Chair grants a leave of absence for the remainder of today's session to Senator Cowell.*

**SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 2499** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN

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NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, as amended on second reading and temporarily displaced earlier today.

Senator Hartsell offers Amendment No. 3 which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its second (36-9) and third readings and is ordered sent to the House of Representatives unengrossed by special message.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 2397** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO AUTHORIZE EMPLOYING ENTITIES OF THE GENERAL ASSEMBLY TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF PROSPECTIVE AND CURRENT EMPLOYEES, with an unfavorable report as to Committee Substitute bill No. 3, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51073, which changes the title upon concurrence to read **H.B. 2397** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, is adopted and engrossed.

Upon motion of Senator Hartsell, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

The Senate recesses at 3:41 P.M. to reconvene at 4:15 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 Jenkins and Senator Tillman.*

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**SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, temporarily displaced earlier.

Senator Clodfelter offers Amendment No. 1 which is adopted (40-0).

The Senate Committee Substitute bill, as amended, passes its second (43-0) and third readings and is ordered sent to the House of Representatives unengrossed by special message for concurrence.

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**CONFERENCE REPORT**

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 180** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES., submits for adoption the following report:

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 180, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN SERVER-BASED ELECTRONIC SWEEPSTAKES, House Committee Substitute Favorable 7/1/08, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute Favorable 7/1/08, Third Edition engrossed 7/9/08, 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 S180-PCCS55792-ST-1.

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

Date Conferees approved report: July 17, 2008.

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*Conferees for the Senate**Conferees for the House of Representatives*

S/Tony Rand, Chair

S/Ray Rapp, Chair

S/Linda Garrou

S/Melanie Wade Goodwin

S/Eleanor Kinnaird

S/Ronnie Sutton

S/Steve Goss

S/Bryan R. Holloway

S/Joe L. Kiser

The text of the attached Proposed Conference Committee Substitute, S180-PCCS55792-ST-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO CLARIFY THAT CERTAIN SERVER-BASED ELECTRONIC  
GAME PROMOTIONS ARE PROHIBITED.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 1 of Article 37 of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-306.3. Certain game promotions unlawful.**

(a) It is unlawful to promote, operate, or conduct a server-based electronic game promotion.

(b) It is unlawful for any person to possess any game terminal with a display that simulates a game ordinarily played on a slot machine regulated under G.S. 14-306 or a video gaming machine regulated under G.S. 14-306.1A for the purpose of promoting, operating, or conducting a server-based electronic game promotion.

(c) As used in this section, "server-based electronic game promotion" means a system that meets all of the following criteria:

- (1) A database contains a pool of entries with each entry associated with a prize value.
- (2) Participants purchase, or otherwise obtain by any means, a prepaid card.
- (3) With each prepaid card purchased or obtained, the participant also obtains one or more entries.
- (4) Entries may be revealed in any of the following ways:
  - a. At a point-of-sale terminal at the time of purchase or later.
  - b. At a game terminal with a display that simulates a game ordinarily played on a slot machine regulated under G.S. 14-306 or a video gaming machine regulated under G.S. 14-306.1A.

(d) Upon conviction or plea of guilty, all of the following held by the person shall be automatically revoked:

- (1) A permit issued under Chapter 18B of the General Statutes.
- (2) A contract to sell tickets or shares under Article 5 of Chapter 18C of the General Statutes.

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(e) Nothing in this section shall apply to the form of Class III gaming legally conducted on Indian lands which are held in trust by the United States government for and on behalf of federally recognized Indian tribes if conducted in accordance with an approved Class III Tribal-State Gaming Compact applicable to that tribe as provided in G.S. 147-12(14) and G.S. 71A-8."

**SECTION 2.** G.S. 14-298 reads as rewritten:

**"§ 14-298. Seizure of illegal gaming items.**

Upon a determination that probable cause exists to believe that any gaming table prohibited to be used by G.S. 14-289 through G.S. 14-300, any illegal punchboard or illegal slot machine, or any video game machine prohibited to be used by G.S. 14-306 or G.S. 14-306.1A, or any game terminal described in G.S. 14-306.3(b) is in the illegal possession or use of any person within the limits of their jurisdiction, all sheriffs and law enforcement officers are authorized to seize the items in accordance with applicable State law. Any law enforcement agency in possession of that item shall retain the item pending a disposition order from a district or superior court judge. Upon application by the law enforcement agency, district attorney, or owner, and after notice and opportunity to be heard by all parties, if the court determines that the item is unlawful to possess, it shall enter an order releasing the item to the law enforcement agency for destruction or for training purposes. If the court determines that the item is not unlawful to possess and will not be used in violation of the law, the item shall be ordered released to its owner upon satisfactory proof of ownership. The foregoing procedures for release shall not apply, however, with respect to an item seized for use as evidence in any criminal action or proceeding until after entry of final judgment."

**SECTION 3.** G.S. 14-309 is amended by adding a new subsection to read:

"(c) Notwithstanding the provisions of subsection (a) of this section, any person violating the provisions of G.S. 14-306.3(b) involving the possession of five or more machines prohibited by that subsection is guilty of a Class G felony."

**SECTION 4.** This act becomes effective December 1, 2008, and applies to offenses committed on or after that date.

Upon motion of Senator Rand, the rules are suspended and the Conference Report, which changes the title, is placed on the Supplemental Calendar for immediate consideration upon adoption.

Upon motion of Senator Rand, the Senate adopts the Conference Report (43-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**SUPPLEMENTAL CALENDAR** *(continued)*

**S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS

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VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET.

The Chair rules that the House Committee Substitute bill No. 2 does not require a call of the roll upon concurrence.

Upon motion of Senator Hartsell, the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

**S.B. 4** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE COLLECTION AND REPORTING OF RACE AND ETHNICITY DATA TO PUBLIC HEALTH OFFICIALS AND TO THE STATEWIDE DATA PROCESSOR, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Snow, the Senate concurs in the House Committee Substitute bill (42-0) and the bill is ordered enrolled and sent to the Governor by special message.

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, submits for adoption the following report:

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 1875, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, Select Committee on Government and Election Reform Committee Substitute Adopted 7/7/08 Third Edition Engrossed 7/8/08, submit the following report:

The Senate concurs in House Amendment #1, and the House and Senate agree to the following amendment:

On page 2, lines 19 and 20 by rewriting the lines to read:  
"enforcement or administration of the matter for investigation. When the Auditor believes that an allegation of improper governmental activity involves matters set forth in subdivisions (1), (2), or (3) of this subsection, those matters shall be referred as follows:".

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

Date Conferees approved report: July 17, 2008.

*Conferees for the Senate*                      *Conferees for the House of Representatives*

S/Daniel G. Clodfelter, Chair	S/Rick Glazier, Chair
S/Tony Rand	S/Deborah K. Ross
S/Peter S. Brunstetter	S/Julia C. Howard
	S/Paul Stam
	S/Marvin W. Lucas

Upon motion of Senator Clodfelter, the rules are suspended and the Conference Report is placed on today's Supplemental Calendar for adoption.

#### **SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 1366** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT, for adoption.

Upon motion of Senator Rand, the Conference Report is withdrawn from today's Supplemental Calendar and is referred to the **Judiciary I Committee**.

**S.B. 685** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.

Upon motion of Senator Rand, the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

**H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS, temporarily displaced earlier today.

Senator Berger of Franklin offers Amendment No. 1 which is adopted (43-0).

Senator Berger of Rockingham offers Amendment No. 2 as a perfecting amendment to Amendment No. 1.

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Amendment No. 2 is adopted (43-0).

Senator Berger of Rockingham offers Amendment No. 3 which is adopted (39-4).

Senator Berger of Franklin offers Amendment No. 4 which is adopted (43-0), and changes the title upon concurrence to read **H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS; AND TO MAKE TECHNICAL CORRECTIONS TO THE QUALIFICATIONS FOR SPEECH AND LANGUAGE PATHOLOGISTS LICENSURE.

Senator Berger of Franklin offers Amendment No. 5 which is adopted (43-0).

The Senate Committee Substitute bill, as amended, passes its second reading (42-1) and third reading (42-1) and is ordered sent to the House of Representatives unengrossed by special message for concurrence.

**S.B. 1259** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WATER SUPPLIED BY A PUBLIC WATER SYSTEM REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT IS NOT SUBJECT TO CERTAIN WARRANTIES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rand, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, for concurrence in the House Committee Substitute bill No. 2, temporarily displaced earlier today.

Upon motion of Senator Hartsell, the Senate fails to concur in the House Committee Substitute bill No. 2, (0-42).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 685** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS

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BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE, for concurrence in the House Committee Substitute bill No. 2, temporarily displaced earlier today.

Upon motion of Senator Berger of Franklin, the Senate concurs in the House Committee Substitute bill No. 2, (41-2) and the bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES, temporarily displaced earlier today.

Upon motion of Senator Rand, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 2397** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, placed earlier on today's supplemental Calendar.

The Senate Committee Substitute bill passes its second (43-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 1100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY, for concurrence in House Amendments No. 1 and No. 2.

Upon motion of Senator Rand, the rules are suspended and the Committee Substitute bill is placed on the Supplemental Calendar for immediate consideration for concurrence in House Amendments No. 1 and No. 2.

Upon motion of Senator Snow, the Senate fails to concur in House Amendments No. 1 and No. 2 (0-43).

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The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **SUPPLEMENTAL CALENDAR** *(continued)*

**S.B. 1875** (Conference Report), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES, placed earlier on today's supplemental Calendar.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (39-3).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 1100 earlier today and the motion by Senator Snow to appoint conferees having prevailed, Senator Rand announces the appointment of Senator Snow, Chair, Senator East and Senator Jones as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 1407 earlier today and the motion by Senator Hartsell to appoint conferees having prevailed, Senator Rand announces the appointment of Senator Hartsell, Chair, Senator Clodfelter and Senator Rand as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A

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message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

### CONFERENCE REPORT

Senator Weinstein, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1230, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT, Senate Finance Committee Substitute Adopted 7/15/08, submit the following report:

The Senate recesses from the Senate Finance Committee Substitute Adopted 7/15/08.

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

Date Conferees approved report: July 17, 2008.

*Conferees for the Senate*           *Conferees for the House of Representatives*

S/David F. Weinstein, Chair	S/Pryor Gibson, Chair
Clark Jenkins	S/Marvin W. Lucas
S/Tom Apodaca	Edgar V. Starnes

Upon motion of Senator Rand, the rules are suspended and the Conference Report, which changes the title, is placed on today's Supplemental Calendar for immediate consideration.

Upon motion of Senator Goss, the Chair orders, without objection, the Conference Report temporarily displaced.

Upon motion of Senator Rand, the Conference Report is withdrawn from today's Supplemental Calendar and is placed on the Calendar for Friday, July 18, for adoption.

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**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 845**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, and requests conferees, Speaker Hackney appoints:

Representative Gibson, Chair  
Representative Allen, and  
Representative Justice

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 17, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

It is ordered that a message be sent your Honorable Body that Speaker Hackney has made the following change to the Conference Committee for House Committee Substitute for **S.B. 845**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Representative Harrison has been added as a conferee.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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Upon motion of Senator Rand, seconded by Senator Berger of Rockingham, the Senate adjourns subject to ratification of bills, receipt of conference reports, committee reports, and messages from the House of Representatives, to meet Friday, July 18, at 9:00 A.M.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 933** (Conference Committee Substitute), AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE CLASS B1 FELONIES AND THE OFFENDER SHALL NOT RECEIVE ACTIVE PUNISHMENT OF LESS THAN THREE HUNDRED MONTHS FOLLOWED BY LIFETIME SATELLITE-BASED MONITORING OR THE POSSIBILITY OF LIFE IMPRISONMENT WITHOUT PAROLE, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS.

Pursuant to your message that you have adopted the report of the Conferees, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**H.B. 2440** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE HEALTH PLAN CONTINGENCY ACCOUNT IN THE OFFICE OF STATE BUDGET AND MANAGEMENT AND TO PROVIDE FOR CONTINGENT APPROPRIATIONS AND ALLOCATIONS FROM THE SAVINGS RESERVE ACCOUNT TO THE CONTINGENCY ACCOUNT TO MEET CLAIMS PAYMENT OBLIGATIONS OF THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR THE 2008-2009 FISCAL YEAR.

Referred to the **Select Committee on Employee Hospital and Medical Benefits**.

**S.B. 1632** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Friday, July 18, for concurrence.

Pursuant to Senator Rand's motion to adjourn having prevailed, the Senate adjourns at 6:24 P.M.

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**ONE HUNDRED FIFTY-THIRD DAY**

Senate Chamber  
Friday, July 18, 2008

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

Prayer is offered by The Reverend Lin Carter, Associate Minister, First Baptist Church, Raleigh, North Carolina as follows:

"Dear God, we enter into this time of prayer grateful that this will be the last prayer of this session. Already, many of these are looking homeward and

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rightfully so, as family and more work await. Bless the decisions made, the laws passed, and the labor completed. Bless those who will, in the coming days, execute and administer the good work done here. May your hand guide each of us and guide this great State of ours. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Dannelly, Senator Graham, Senator Hagan, Senator Jenkins and Senator Rucho.

Senator Rand announces that the Journal of Thursday, July 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 17, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 180** (Conference Committee Substitute), AN ACT TO CLARIFY THAT CERTAIN SERVER-BASED ELECTRONIC GAME PROMOTIONS ARE PROHIBITED.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 180 on Thursday, July 17, the President orders the bill enrolled and sent to the Governor by special message.

#### **CALENDAR**

Bills on today's Calendar are taken up and disposed of, as follows:

**H.B. 1687** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIRECTOR OF THE BUDGET SHALL

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ANNUALLY SET ALL MILEAGE RATES, SUBSISTENCE ALLOWANCES, AND PER DIEM FOR STATE OFFICERS AND EMPLOYEES.

Upon motion of Senator Rand, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

### CONFERENCE REPORT

Senator Dalton, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 132** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE, submits for adoption the following report:

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 132, A BILL TO BE ENTITLED AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE, House Committee Substitute Favorable 7/31/07, submit the following report:

The House and Senate agree to the following amendment to the House Judiciary II Committee Substitute Favorable 7/31/07 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 S132-PCCS75606-RK-8.

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

Date Conferees approved report: July 18, 2008.

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*Conferees for the Senate**Conferees for the House of Representatives*

S/Walter H. Dalton, Chair  
 S/Doug Berger  
 S/David W. Hoyle

S/Dan Blue, Chair  
 S/Jimmy L. Love, Sr.  
 S/Jennifer Weiss  
 S/Tim Moore

The text of the attached Proposed Conference Committee Substitute S132-PCCS75606-RK-8 is as follows:

## A BILL TO BE ENTITLED

AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO INCREASE THE PENALTY IN CERTAIN CIRCUMSTANCES WHERE THERE IS A SOLICITATION BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT AND TO PROVIDE FOR CIVIL LIABILITY; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-190.13 reads as rewritten:

"§ 14-190.13. **Definitions for certain offenses concerning minors.**

The following definitions apply to G.S. 14-190.14, displaying material harmful to minors; G.S. 14-190.15, disseminating or exhibiting to minors harmful material or performances; G.S. 14-190.16, first degree sexual exploitation of a minor; G.S. 14-190.17, second degree sexual exploitation of a minor; G.S. 14-190.17A, third degree sexual exploitation of a minor; G.S. 14-190.18, promoting prostitution of a minor; ~~and~~ G.S. 14-190.19, participating in prostitution of a minor.

- (1) Harmful to Minors. – That quality of any material or performance that depicts sexually explicit nudity or sexual activity and that, taken as a whole, has the following characteristics:
  - a. The average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest of minors in sex; and
  - b. The average adult person applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material or performance is patently

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- offensive to prevailing standards in the adult community concerning what is suitable for minors; and
- c. The material or performance lacks serious literary, artistic, political, or scientific value for minors.
- (2) Material. – Pictures, drawings, video recordings, films or other visual depictions or representations but not material consisting entirely of written words.
- (3) Minor. – An individual who is less than 18 years old and is not married or judicially emancipated.
- (4) Prostitution. – Engaging or offering to engage in sexual activity with or for another in exchange for anything of value.
- (5) Sexual Activity. – Any of the following acts:
- a. Masturbation, whether done alone or with another human or an animal.
- b. Vaginal, anal, or oral intercourse, whether done with another human or with an animal.
- c. Touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female.
- d. An act or condition that depicts torture, physical restraint by being fettered or bound, or flagellation of or by a person clad in undergarments or in revealing or bizarre costume.
- e. Excretory functions; provided, however, that this sub-subdivision shall not apply to G.S. 14-190.17A.
- f. The insertion of any part of a person's body, other than the male sexual organ, or of any object into another person's anus or vagina, except when done as part of a recognized medical procedure.
- g. The lascivious exhibition of the genitals or pubic area of any person.
- (6) Sexually Explicit Nudity. – The showing of:
- a. Uncovered, or less than opaquely covered, human genitals, pubic area, or buttocks, or the nipple or any portion of the areola of the human female breast, except as provided in G.S. 14-190.9(b); or
- b. Covered human male genitals in a discernibly turgid state."

**SECTION 2.** G.S. 14-190.16(d) reads as rewritten:

"(d) Punishment and Sentencing. – Violation of this section is a ~~Class D felony~~. Class C felony."

**SECTION 3.** G.S. 14-190.17(d) reads as rewritten:

"(d) Punishment and Sentencing. – Violation of this section is a ~~Class F felony~~. Class E felony."

**SECTION 4.** G.S. 14-190.17A(d) reads as rewritten:

"(d) Punishment and Sentencing. – Violation of this section is a ~~Class I felony~~. Class H felony."

**SECTION 5.** G.S. 14-202.3(c) reads as rewritten:

"(c) Punishment. – A violation of this section is a ~~Class H felony~~. punishable as follows:

- (1) A violation is a Class H felony except as provided by subdivision (2) of this subsection.
- (2) If either the defendant, or any other person for whom the defendant was arranging the meeting in violation of this section, actually appears at the meeting location, then the violation is a Class G felony.

**SECTION 6.** Article 26 of Chapter 14 of the General Statutes is amended by adding a new section to read:

**§ 14-202.5. Ban use of commercial social networking Web sites by sex offenders.**

(a) Offense. – It is unlawful for a sex offender who is registered in accordance with Article 27A of Chapter 14 of the General Statutes to access a commercial social networking Web site where the sex offender knows that the site permits minor children to become members or to create or maintain personal Web pages on the commercial social networking Web site.

(b) For the purposes of this section, a "commercial social networking Web site" is an Internet Web site that meets all of the following requirements:

- (1) Is operated by a person who derives revenue membership fees, advertising, or other sources related to the operation of the Web site.
- (2) Facilitates the social introduction between two or more persons for the purposes of friendship, meeting other persons, or information exchanges.
- (3) Allows users to create Web pages or personal profiles that contain information such as the name or nickname of the user, photographs placed on the personal Web page by the user, other personal information about the user, and links to other personal Web pages on the commercial social networking Web site of friends or associates of the user that may be accessed by other users or visitors to the Web site.
- (4) Provides users or visitors to the commercial social networking Web site mechanisms to communicate with other users, such as a message board, chat room, electronic mail, or instant messenger.

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(c) A commercial social networking Web site does not include an Internet Web site that either:

- (1) Provides only one of the following discrete services: photo-sharing, electronic mail, instant messenger, or chat room or message board platform; or
- (2) Has as its primary purpose the facilitation of commercial transactions involving goods or services between its members or visitors.

(d) Jurisdiction. – The offense is committed in the State for purposes of determining jurisdiction, if the transmission that constitutes the offense either originates in the State or is received in the State.

(e) Punishment. – A violation of this section is a Class I felony."

**SECTION 7.** Article 26 of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-202.5A. Liability of commercial social networking sites.**

(a) Notwithstanding the provisions of G.S. 14-208.15A(f), a commercial social networking site, as defined in G.S. 14-202.5, may be held civilly liable for damages for failing to make reasonable efforts to prevent a sex offender who is registered in accordance with Article 27A of Chapter 14 of the General Statutes to access its Web site.

(b) For the purposes of this section, "access" is defined as allowing the sex offender to do any of the activities or actions described in G.S. 14-202.5(b)(2) through G.S. 14-202.5(b)(4) by utilizing the Web site."

**SECTION 8.** Article 26 of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-202.6. Ban on name changes by sex offenders.**

It is unlawful for a sex offender who is registered in accordance with Article 27A of Chapter 14 of the General Statutes to obtain a change of name under Chapter 101 of the General Statutes."

**SECTION 9.** G.S. 101-6 is amended by adding a new subsection to read:

"(c) A sex offender who is registered in accordance with Article 27A of Chapter 14 of the General Statutes is prohibited from obtaining a change of name under this Chapter."

**SECTION 10.** If any section or provision of this act is declared unconstitutional or invalid by the courts, the unconstitutional or invalid section or provision does not affect the validity of this act as a whole or any part of this act other than the part declared to be unconstitutional or invalid.

**SECTION 11.** Section 7 of this act becomes effective May 1, 2009, and applies to acts occurring on or after that date. The remainder of this act becomes effective December 1, 2008, and applies to offenses committed on or after that date.

Upon motion of Senator Dalton, the rules are suspended and the Conference Report, which changes the title, is placed on the Calendar for immediate consideration for adoption.

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Upon motion of Senator Dalton, the Senate adopts the Conference Report (42-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 4**, AN ACT TO IMPROVE THE COLLECTION AND REPORTING OF RACE AND ETHNICITY DATA TO PUBLIC HEALTH OFFICIALS AND TO THE STATEWIDE DATA PROCESSOR.

**S.B. 685**, AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE.

**S.B. 1046**, AN ACT TO STUDY THE IMPACTS ON THE STATE OF NORTH CAROLINA OF THE POTENTIAL ISSUANCE OF A FIFTY-YEAR LICENSE BY THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE OPERATION OF THE YADKIN HYDROELECTRIC PROJECT.

**S.B. 1259**, AN ACT TO PROVIDE THAT WATER SUPPLIED BY A PUBLIC WATER SYSTEM REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT IS NOT SUBJECT TO CERTAIN WARRANTIES.

**S.B. 1627**, AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.

**S.B. 1697**, AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540.

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**S.B. 1770**, AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED, TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS, AND TO STUDY DEATH REPORTING REQUIREMENTS.

**S.B. 1796**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE SPECIAL ASSISTANCE PROGRAM.

**S.B. 1797**, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE.

**S.B. 2075**, AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTIJURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION AND TO PROVIDE FOR A TEMPORARY INCREASE IN THE CAP ON AMOUNTS COMMITTED UNDER THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM.

**S.B. 2081**, AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS.

**H.B. 1624**, AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER.

**H.B. 2340**, AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES.

**H.B. 2409**, AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING.

**H.B. 2558**, AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE.

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

**H.B. 2690**, AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS.

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

**H.B. 933**, AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE CLASS B1 FELONIES AND THE OFFENDER SHALL NOT RECEIVE ACTIVE PUNISHMENT OF LESS THAN THREE HUNDRED MONTHS FOLLOWED BY LIFETIME SATELLITE-BASED MONITORING OR THE POSSIBILITY OF LIFE IMPRISONMENT WITHOUT PAROLE, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS.

#### CHAPTERED BILLS

The Enrolling Clerk reports the following bills properly enrolled, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State:

**S.B. 1631**, AN ACT TO CLARIFY HOW PUBLIC BODIES IN HYDE COUNTY MAY CONDUCT BUSINESS DURING MEETINGS INVOLVING SIMULTANEOUS COMMUNICATION. (Became law upon ratification, July 17, 2008 - S.L. 2008-111.)

**S.B. 1977**, AN ACT TO ALLOW THE TOWNS OF LELAND AND SPENCER TO ANNEX CERTAIN RIGHTS-OF-WAY OF THE DEPARTMENT OF TRANSPORTATION. (Became law upon ratification, July 17, 2008 - S.L. 2008-112.)

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**S.B. 2123**, AN ACT TO EXEMPT THE CITY OF DURHAM FROM CERTAIN PROVISIONS OF THE GENERAL STATUTES REGARDING SOLICITATIONS IN, ON, AND NEAR A PUBLIC STREET OR ROADWAY. (Became law upon ratification, July 17, 2008 - S.L. 2008-113.)

**H.B. 2755**, AN ACT AUTHORIZING THE TOWN OF OAK ISLAND TO LEVY SPECIAL ASSESSMENTS TO RAISE LOCAL FINANCING FOR NON-BEACH DREDGING PROJECTS. (Became law upon ratification, July 17, 2008 - S.L. 2008-114.)

**H.B. 2756**, AN ACT TO ALLOW THE TOWN OF OAK ISLAND TO MAKE EQUAL ASSESSMENTS FOR EACH LOT WITHIN THE TOWN WHICH BENEFITS FROM BEACH EROSION OR FLOOD AND HURRICANE PROTECTION WORKS PROJECTS UNDERTAKEN BY THE TOWN. (Became law upon ratification, July 17, 2008 - S.L. 2008-115.)

#### CALENDAR *(continued)*

**S.B. 1632** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, the Chair orders, without objection, the House Committee Substitute bill temporarily displaced.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 2382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY, referred to the **State & Local Government Committee** on Thursday, July 17.

Pursuant to Rule 47 (a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **State & Local Government Committee** and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill be withdrawn from the **State & Local Government Committee** and places it on today's Calendar.

#### CALENDAR *(continued)*

**S.B. 1878** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL

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PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION, for adoption upon third reading.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report on its third reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative are: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---43.

Voting in the negative: None.

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1925** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE, for adoption upon third reading.

Upon motion of Senator Kerr, the Senate adopts the Conference Report on its third reading, by roll-call vote, ayes 42, noes 1, as follows:

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Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dalton, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Smith, Snow, Soles, Stevens, Swindell, Tillman and Weinstein---42.

Voting in the negative: Senator Apodaca---1.

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 1230** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS, for adoption.

Upon motion of Senator Weinstein, the Senate adopts the Conference Report (38-5).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1632** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS, temporarily displaced earlier today for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor by special message.

*The Chair grants a leave of absence for the remainder of today's session to Senator Dalton.*

**H.B. 2382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY, placed earlier on today's Calendar.

Upon motion of Senator Rand, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **State & Local Government Committee**.

#### PERSONAL PRIVILEGES

Upon motion of Senator Allran, the remarks of Senator Foriest about Corporal Pruitt Rainey are spread upon the Journal, as follows:

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**Senator Foriest:**

“Mr. President and members of the Senate, I just wanted to share something with you. When I was on my way to work yesterday I picked up the morning newspaper and there was something that was somewhat tragic, but I think it’s something that’s worth mentioning again. You may have read about the insurgent attack on our forces in Afghanistan at about 4:30 on this past Sunday. The assault itself lasted several hours and, as a result, we had nine NATO security forces killed. The soldiers were assigned to the 2nd Battalion, the 503rd Infantry Regiment, and the 173rd Airborne Brigade Combat Team and they were stationed in Italy. The significance to me and certainly to our community was the fact that we had someone very close to us who was a part of that. In fact, he was a former student at Graham High School. He had graduated in 2004 and it’s the same high school that I attended and the same high school that my wife teaches at now and when I read that, Mr. President, it made me think of a devotion by John Donne where he was saying that ‘No man is an island entire of itself; every man is a piece of the continent and a part of the main.’ When I read the headline, I immediately thought of not only my own son who has served in the military but Senator Brunstetter has a couple of sons serving in the military and I’m sure many of us do, too. Sometimes it’s hard to imagine how close that war is getting to us and my point is that I really felt bad for the family. It was just something that really touched my heart. It was Corporal Pruitt Rainey and when the paper was talking about it they were saying that they just wanted people to remember him as a person who died for his Country. He was 22 years old and had less than a month left in Afghanistan but, of course, his life has been cut tragically short. The last part of that devotion by John Donne says ‘I am involved in mankind and therefore never send to know for whom the bell tolls; it tolls for thee.’ I certainly ask your prayers as we think about this soldier and many others who have lost their lives and continue to fight for us. Thank you.”

**Senator Basnight:**

“Let me ask that every member of the Senate and those in the gallery please stand at this time and I’ll ask Senator Allran to say a brief prayer on behalf of this young soldier and every soldier who has given his life in Afghanistan, Iraq, or any conflict that America is engaged in around the world at this time.”

**Senator Allran**

“Dear Lord, we have heard the Senator speak of the death of this young man and the other young men who have died for our Country. Dear Lord, please just be with them. We pray for their souls, Dear Lord, we pray for their families and we just thank you that you have given such wonderful people to us. Dear Lord, what we pray for more than anything else is that we will appreciate the incredible sacrifice, the ultimate sacrifice, that these people have made for us. In your Son’s name we pray, Amen.”

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**CONFERENCE REPORT**

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1263** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, submits for adoption the following report:

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 1263, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH

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CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE, House Committee Substitute #2 Favorable 7/9/08, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute #2 Favorable 7/9/08, 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 S1263-PCCS85497-RR-1.

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

Date Conferees approved report: July 18, 2008.

*Conferees for the Senate*

S/Daniel G. Clodfelter, Chair  
S/Martin L. Nesbitt, Jr.  
S/Tony Rand  
Doug Berger  
S/Richard Stevens  
Phil Berger

*Conferees for the House of Representatives*

S/Melanie Wade Goodwin, Chair  
S/Deborah K. Ross  
S/Grier Martin  
S/Carolyn H. Justice  
S/Angela R. Bryant  
S/Bonner L. Stiller

The text of the attached Proposed Conference Committee Substitute S1263-PCCS85497-RR-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS  
OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION  
STATUTE AS IT APPLIES TO MULTISEAT RACES; TO

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REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4<sup>TH</sup> CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Chapter 120 of the General Statutes is amended by adding a new Article to read:

"Article 12P.

"Joint Legislative Elections Oversight Committee.

**"§ 120-70.140. Creation and membership of Joint Legislative Elections Oversight Committee.**

The Joint Legislative Elections Oversight Committee is established. The Committee consists of 18 members as follows:

- (1) Nine members of the Senate appointed by the President Pro Tempore of the Senate. The President Pro Tempore shall appoint members proportionally according to the partisan composition of the Senate.
- (2) Nine members of the House of Representatives appointed by the Speaker of the House of Representatives. The Speaker shall appoint members proportionally according to the partisan composition of the House.

Terms on the Committee are for two years and begin on January 15 of each odd-numbered year, except the terms of the initial members, which begin on appointment and end on January 15 of the next odd-numbered year. Members may complete a term of service on the Committee even if they do not seek

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reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until his or her successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

**"§ 120-70.141. Purpose and powers of Committee.**

(a) The Joint Legislative Elections Oversight Committee shall examine, on a continuing basis, election administration and campaign finance regulation in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve elections administration and campaign finance regulation. In this examination, the Committee shall do the following:

- (1) Study the budgets, programs, and policies of the State Board of Elections and the county boards of elections to determine ways in which the General Assembly may improve election administration and campaign finance regulation.
- (2) Examine election statutes and court decisions to determine any legislative changes that are needed to improve election administration and campaign finance regulation.
- (3) Study other states' initiatives in election administration and campaign finance regulation to provide an ongoing commentary to the General Assembly on these initiatives and to make recommendations for implementing similar initiatives in North Carolina; and
- (4) Study any other election matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

**"§ 120-70.142. Organization of Committee.**

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Elections Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is 10 members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction

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of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

**"§ 120-70.143. Additional powers.**

The Joint Legislative Elections Oversight Committee, while in discharge of official duties, shall have access to any paper or document and may compel the attendance of any State official or employee before the Committee or secure any evidence under G.S. 120-19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee as if it were a joint committee of the General Assembly."

**SECTION 1.(b)** Expenses of the Joint Legislative Elections Oversight Committee shall be paid out of funds appropriated to the General Assembly, with the approval of the Legislative Services Officer.

**SECTION 1.(c)** This section is effective when it becomes law.

**SECTION 2.(a)** G.S. 163-182.13(e) reads as rewritten:

"(e) Which Candidates to Be on Official Ballot. – All the candidates who were listed on the official ballot in the original election shall be listed in the same order on the official ballot for the new election, except in either of the following:

- (1) If a candidate dies or otherwise becomes ineligible between the time of the original election and the new election, that candidate may be replaced in the same manner as if the vacancy occurred before the original election.
- (2) If the election is for a multiseat office, and the irregularities could not have affected the election of one or more of the ~~leading vote getters, candidates,~~ the new election, upon agreement of at least four members of the State Board, may be held among only those ~~remaining~~ candidates whose election could have been affected by the irregularities."

**SECTION 2.(b)** This section is effective when it becomes law.

**SECTION 3.(a)** The State Board of Elections is authorized to select elections for offices of local government in which to use instant runoff voting in up to 10 local jurisdictions in each of the following years: 2009, 2010, and 2011. The selection of jurisdictions and administration of instant runoff voting shall follow the provisions of Section 1(a) of Session Law 2006-192, except that the local governing board that is the subject of the election must approve participation in the pilot and also must agree to cooperate with the county board of elections and the Board in the development and implementation of a plan to educate candidates and voters about how to use the runoff voting method. In a multiseat contest, the Board shall modify the method used for instant runoff voting in single-seat contests to apply its essential principles suitably to that election. In the case of a board of education election where the "local governing board" must be asked to authorize instant runoff voting because nonpartisan plurality elections are normally used, the "local governing board" is

the board of education itself. If instant runoff voting is used in place of the nonpartisan election and runoff method as described in G.S. 163-293, the county board of elections, with the approval of the local governing board, may hold the election on the first Tuesday after the first Monday in November. The State Board of Elections, in consultation with the School of Government at the University of North Carolina, shall by January 1, 2009, develop for the pilot program authorized in this section goals, standards consistent with general election law, and criteria for implementation and evaluation. The pilot program shall be conducted according to those goals, standards, and criteria.

**SECTION 3.(b)** This section is effective when it becomes law.

**SECTION 4.(a)** G.S. 163-182.14 reads as rewritten:

**"§ 163-182.14. Appeal of a final decision to superior court; appeal to the General Assembly or a house thereof.**

(a) Final Decision. – A copy of the final decision of the State Board of Elections on an election protest shall be served on the parties personally or through delivery by certified mail, U.S. mail or a designated delivery service authorized under 26 U.S.C. § 7502(f)(2) if that delivery provides a record of the date and time of delivery to the address provided by the party. A decision to order a new election is considered a final decision for purposes of seeking review of the decision.

(b) Timing of Right of Appeal. – Except in the case of a general or special election to either house of the General Assembly or to an office established by Article III of the Constitution, an aggrieved party has the right to appeal the final decision to the Superior Court of Wake County within 10 days of the date of service.

After the decision by the State Board of Elections has been served on the parties, the certification of nomination or election or the results of the referendum shall issue pursuant to G.S. 163-182.15 unless an appealing party obtains a stay of the certification from the Superior Court of Wake County within 10 days after the date of service. The court shall not issue a stay of certification unless the petitioner shows the court that the petitioner has appealed the decision of the State Board of Elections, that the petitioner is an aggrieved party, and that the petitioner is likely to prevail in the appeal.

If service is by mail or a designated delivery service, the additional time after service provided in Rule 6(e) of the North Carolina Rules of Civil Procedure shall apply to both the time for appeal and the time to obtain a stay under this subsection.

(c) Contests for General Assembly and Executive Branch Offices. – In the case of a general or special election to either house of the General Assembly or to an office established by Article III of the Constitution, an unsuccessful candidate has the right to appeal the final decision to the General Assembly in accordance with Article 3 of Chapter 120 and G.S. 163-182.13A, as appropriate.

After the decision by the State Board of Elections has been served on the parties, the certification of nomination or election shall issue pursuant to G.S. 163-182.15 unless a contest of the election is initiated pursuant to Article 3 of Chapter 120 or G.S. 163-182.13A, as appropriate."

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**SECTION 4.(b)** This section becomes effective October 1, 2008.

**SECTION 5.(a)** G.S. 163-55 is amended by adding a new subsection to read:

"(c) Elections. – For purposes of the 30-day residence requirement to vote in an election in subsection (a) of this section, the term "election" means the day of the primary, second primary, general election, special election, or referendum."

**SECTION 5.(b)** G.S. 163-86 reads as rewritten:

**"§ 163-86. Hearing on challenge.**

(a) A challenge made under G.S. 163-85 shall be heard and decided before the date of the next primary or election, except that if the board finds that because of the number of challenges, it cannot hold all hearings before the date of the election, it may order the challenges to be heard and decided at the next time the challenged person appears and seeks to vote, as if the challenge had been filed under G.S. 163-87. Unless the hearing is ordered held under G.S. 163-87, it shall be heard and decided by the board of elections.

(b) At least 10 days prior to the hearing scheduled under G.S. 163-86(c), the board of elections shall mail by first-class mail, a written notice of the challenge to the challenged voter, to the address of the voter listed in the registration records of the county. The notice shall state succinctly the grounds asserted, and shall state the time and place of the hearing. If the hearing is to be held at the polls, the notice shall state that fact and shall list the date of the next scheduled election, the location of the voter's polling place, and the time the polls will be open. A copy of the notice shall be sent to the person making the challenge and to the chairman of each political party in the county.

(c) At the time and place set for the hearing on a challenge entered prior to the date of a primary or election, the county board of elections shall explain to the challenged registrant the qualifications for registration and voting in this State. The board chairman, or in his absence the board secretary, shall then administer the following oath to the challenged registrant:

"You swear (or affirm) that the statements and information you shall give in this hearing with respect to your identity and qualifications to be registered and to vote shall be the truth, the whole truth, and nothing but the truth, so help you, God."

After swearing the challenged registrant, the board shall examine him as to his qualifications to be registered and to vote. If the challenged registrant insists that he is qualified, the board shall tender to him the following oath or affirmation:

"You do solemnly swear (or affirm) that you are a citizen of the United States; that you are at least 18 years of age or will become 18 by the date of the next general election; that you have or will have resided in this State and in the precinct for which registered for 30 days by the date of the next ~~general primary~~ or election; that you are not disqualified from voting by the Constitution or the laws of this State; that your name is \_\_\_\_\_, and that in such name you were duly registered as a voter of \_\_\_\_\_ precinct; and that you are the person you represent yourself to be, so help you, God."

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If the challenged registrant refuses to take the tendered oath, or submit to the board the affidavit required by subsection (d), below, the challenge shall be sustained. If the challenged registrant takes the tendered oath, the board may, nevertheless, sustain the challenge if it finds the challenged registrant is not a legal voter.

The board, in conducting hearings on challenges, shall have authority to subpoena any witnesses it may deem appropriate, and administer the necessary oaths or affirmations to all witnesses brought before it to testify to the qualifications of the persons challenged.

(d) Appearance by Challenged Registrant. – The challenged registrant shall appear in person at the challenge hearing. If he is unable to appear in person, he may be represented by another person and must tender to the county board of elections an affidavit that he is a citizen of the United States, is at least 18 years of age or will become 18 by the date of the next general election, has or will have resided in this State and in the precinct for which registered for 30 days by the date of the next ~~general~~ primary or election, is not disqualified from voting by the Constitution or laws of this State, is named \_\_\_\_\_ and was duly registered as a voter of \_\_\_\_\_ precinct in such name, and is the person represented to be by the affidavit."

**SECTION 5.(c)** G.S. 163-283 reads as rewritten:

"§ 163-283. **Right to participate or vote in party primary.**

No person shall be entitled to vote or otherwise participate in the primary election of any political party unless he

- (1) Is a registered voter, and
- (2) Has declared and has had recorded on the registration book or record the fact that he affiliates with the political party in whose primary he proposes to vote or participate, and
- (3) Is in good faith a member of that party.

Notwithstanding the previous paragraph, any unaffiliated voter who is authorized under G.S. ~~163-116~~ 163-119 may also vote in the primary if the voter is otherwise eligible to vote in that primary except for subdivisions (2) and (3) of the previous paragraph.

Any person who will become qualified by age ~~or residence~~ to register and vote in the general election for which the primary is held, even though not so qualified by the date of the primary election, shall be entitled to register while the registration books are open during the regular registration period prior to the primary and then to vote in the primary after being registered, provided however, under full-time and permanent registration, such an individual may register not earlier than 60 days nor later than the last day for making application to register under G.S. 163-82.6(c) prior to the primary. In addition, persons who will become qualified by age to register and vote in the general election for which the primary is held, who do not register during the special period may register to vote after such period as if they were qualified on the basis of age, but until they are qualified by age to vote, they may vote only in primary elections."

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**SECTION 5.(d)** G.S. 163-82.6(c) reads as rewritten:

"(c) Registration Deadlines for ~~an~~ a Primary or Election. – In order to be valid for ~~an~~ a primary or election, except as provided in G.S. 163-82.6A, the form:

- (1) If submitted by mail, must be postmarked at least 25 days before the primary or election, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the primary or election,
- (2) If submitted in person, by facsimile transmission, or by transmission of a scanned document, must be received by the county board of elections by a time established by that board, but no earlier than 5:00 P.M., on the twenty-fifth day before the primary or election,
- (3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the primary or election, except as provided in subsection (d) of this section."

**SECTION 5.(e)** G.S. 163-82.6(d) reads as rewritten:

"(d) Instances When Person May Register and Vote on Primary or Election Day. – If a person has become qualified to register and vote between the twenty-fifth day before ~~an~~ a primary or election and primary or election day, then that person may apply to register on primary or election day by submitting an application form described in G.S. 163-82.3(a) or (b) to:

- (1) A member of the county board of elections;
- (2) The county director of elections; or
- (3) The chief judge or a judge of the precinct in which the person is eligible to vote,

and, if the application is approved, that person may vote the same day. The official in subdivisions (1) through (3) of this subsection to whom the application is submitted shall decide whether the applicant is eligible to vote. The applicant shall present to the official written or documentary evidence that the applicant is the person he represents himself to be. The official, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to that official as to the applicant's qualifications. If the official determines that the person is eligible, the person shall be permitted to vote in the primary or election and the county board shall add the person's name to the list of registered voters. If the official denies the application, the person shall be permitted to vote a challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to the full county board of elections. The State Board of Elections shall promulgate rules for the county boards of elections to follow in hearing appeals for denial of primary or election day applications to register. No person shall be permitted to register on the day of a second primary unless he shall have become qualified to register and vote between the date of the first primary and the date of the succeeding second primary."

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**SECTION 6.(a)** G.S. 163-278.6(14) reads as rewritten:

"(14) The term "political committee" means a combination of two or more individuals, such as any person, committee, association, organization, or other entity that makes, or accepts anything of value to make, contributions or expenditures and has one or more of the following characteristics:

- a. Is controlled by a candidate;
- b. Is a political party or executive committee of a political party or is controlled by a political party or executive committee of a political party;
- c. Is created by a corporation, business entity, insurance company, labor union, or professional association pursuant to G.S. 163-278.19(b); or
- d. Has ~~as a~~ the major purpose to support or oppose the nomination or election of one or more clearly identified candidates.

Supporting or opposing the election of clearly identified candidates includes supporting or opposing the candidates of a clearly identified political party.

If the entity qualifies as a "political committee" under sub-subdivision a., b., c., or d. of this subdivision, it continues to be a political committee if it receives contributions or makes expenditures or maintains assets or liabilities. A political committee ceases to exist when it winds up its operations, disposes of its assets, and files its final report.

The term "political committee" includes the campaign of a candidate who serves as his or her own treasurer.

Special definitions of "political action committee" and "candidate campaign committee" that apply only in Part 1A of this Article are set forth in G.S. 163-278.38Z."

**SECTION 6.(b)** G.S. 163-278.14A(a) reads as rewritten:

"(a) ~~Either of the~~ The following shall be means, but not necessarily the exclusive or conclusive means, means of proving that an individual or other entity acted "to support or oppose the nomination or election of one or more clearly identified candidates":

- (1) ~~Evidence candidates~~: presenting evidence of financial sponsorship of"; and communications to the general public that use phrases such as "vote for", "reelect", "support", "cast your ballot for", "(name of candidate) for (name of office)", "(name of candidate) in (year)", "vote against", "defeat", "reject", "vote pro-(policy position)" or "vote anti-(policy position)" accompanied by a list of candidates clearly labeled "pro-(policy position)" or "anti-

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(policy position)", or communications of campaign words or slogans, such as posters, bumper stickers, advertisements, etc., which say "(name of candidate)'s the One", "(name of candidate) '98", "(name of candidate)!", or the names of two candidates joined by a hyphen or slash.

- (2) ~~Evidence of financial sponsorship of communications whose essential nature expresses electoral advocacy to the general public and goes beyond a mere discussion of public issues in that they direct voters to take some action to nominate, elect, or defeat a candidate in an election. If the course of action is unclear, contextual factors such as the language of the communication as a whole, the timing of the communication in relation to events of the day, the distribution of the communication to a significant number of registered voters for that candidate's election, and the cost of the communication may be considered in determining whether the action urged could only be interpreted by a reasonable person as advocating the nomination, election, or defeat of that candidate in that election."~~

**SECTION 6.(c)** G.S. 163-278.13 is amended by adding a new subsection to read:

"(e5) The contribution limits of subsections (a) and (b) of this section do not apply to contributions made to an independent expenditure political committee. For purposes of this section, an "independent expenditure political committee" is a political committee whose treasurer makes and abides by a certification to the State Board of Elections that the political committee does not and will not make contributions, directly or indirectly, to candidates or to political committees that make contributions to candidates. The State Board of Elections shall provide forms for implementation of this subsection. This subsection shall not apply to a candidate or a political committee controlled by a candidate. The exception of this subsection is in addition to any other exception provided by law."

**SECTION 6.(d)** This section is effective when it becomes law.

**SECTION 7.(a)** G.S. 163-278.13(e2)(3) is repealed.

**SECTION 7.(b)** G.S. 163-278.67 is amended by adding a new subsection to read:

"(c1) Expedited Distribution of Matching Funds. – When a candidate becomes entitled to any amount of matching funds under subsection (a) of this section, the Board shall authorize the issuance of that amount to the candidate as soon as practicable. The Department of Administration shall transfer that amount to the candidate as soon as practicable and in no event later than 12 hours after receiving notice from the Board that the candidate has become entitled to it. The Department of Administration shall develop a method of rapidly transferring funds to a candidate or otherwise fulfilling the requirements

of this subsection in conjunction with the Board. The candidate shall return to the Board as soon as practicable any amount of the matching funds that the candidate has not spent at the date of the election or at the time the individual ceases to be a certified candidate, whichever occurs first."

**SECTION 7.(c)** This section is effective when it becomes law.

**SECTION 8.(a)** Article 22A of Chapter 163 of the General Statutes is amended by adding a new section to read:

**"§ 163-278.8A. Campaign sales by political party executive committees.**

(a) Exempt Purchase Price Not Treated as "Contribution." – Notwithstanding the provisions of G.S. 163-278.6(6), the purchase price of goods or services sold by a political party executive committee as provided in subsection (b) of this section shall not be treated as a "contribution" for purposes of account-keeping under G.S. 163-278.8, for purposes of the reporting of contributions under G.S. 163-278.11, or for the purpose of the limit on contributions under G.S. 163-278.13. The treasurer is not required to obtain, maintain, or report the name or other identifying information of the purchaser of the goods or services, as long as the requirements of subsection (b) of this section are satisfied. However, the proceeds from the sales of those goods and services shall be treated as contributions for other purposes, and expenditures of those proceeds shall be reported as expenditures under this Article.

(b) Exempt Purchase Price. – A purchase price for goods or services sold by a political party executive committee qualifies for the exemption provided in subsection (a) of this section as long as the sale of the goods or services adheres to a plan that the treasurer has submitted to and that has been approved in writing by the Executive Director of the State Board of Elections. The Executive Director shall approve the treasurer's plan upon and only upon finding that all the following requirements are satisfied:

- (1) That the price to be charged for the goods or services is reasonably close to the market price for the goods or services.
- (2) That the total amount to be raised from sales under all plans by the committee does not exceed ten thousand dollars (\$10,000) per election cycle.
- (3) That no purchaser makes total purchases under the plan that exceed fifty dollars (\$50.00).
- (4) That the treasurer include in the report under G.S. 163-278.11, covering the relevant time period, all of the following:
  - a. A description of the plan.
  - b. The amount raised from sales under the plan.
  - c. The number of purchases made.
- (5) That the treasurer shall include in the appropriate report under G.S. 163-278.11 any in-kind contribution made to the political party executive committee in providing the goods or services sold under the plan and that no in-kind contribution accepted as part of the plan violates any provision of this Article.

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The Executive Director may require a format for submission of a plan, but that format shall not place undue paperwork burdens upon the treasurer. As used in this subdivision, the term "election cycle" has the same meaning as in G.S. 163-278.6(7c)."

**SECTION 8.(b)** This section becomes effective August 15, 2008, or on the date of preclearance under Section 5 of the Voting Rights Act of 1965, whichever occurs later, except that with respect to county political party executive committees in counties not subject to Section 5 of the Voting Rights Act it is effective when it becomes law. This section applies to contributions made or accepted on or after the effective date. If preclearance is denied to this section, this section is repealed on the date of denial.

**SECTION 9.(a)** Part 2 of Article 22A of Chapter 163 of the General Statutes is amended by adding a new section to read:

**"§ 163-278.40J. Other committees report by municipal schedule.**

A candidate or political committee that appoints a treasurer under G.S. 163-278.7 shall make reports according to the schedule under this Part if it makes contributions or expenditures concerning municipal elections."

**SECTION 9.(b)** G.S. 163-278.27(a) reads as rewritten:

"(a) Any individual, candidate, political committee, referendum committee, treasurer, person or media who intentionally violates the applicable provisions of G.S. 163-278.7, 163-278.8, 163-278.9, 163-278.10, 163-278.11, 163-278.12, 163-278.13, 163-278.13B, 163-278.14, 163-278.16, 163-278.16B, 163-278.17, 163-278.18, 163-278.19, 163-278.20, 163-278.39, 163-278.40A, 163-278.40B, 163-278.40C, ~~163-278.40D or 163-278.40E~~ 163-278.40D, 163-278.40E, or 163-278.40J is guilty of a Class 2 misdemeanor. The statute of limitations shall run from the day the last report is due to be filed with the appropriate board of elections for the election cycle for which the violation occurred."

**SECTION 9.(c)** G.S. 163-278.9(a)(5a) reads as rewritten:

- "(5a) Quarterly Reports. – During even-numbered years during which there is an election for that candidate or in which the campaign committee is supporting or opposing a candidate, the treasurer shall file a report by mailing or otherwise delivering it to the Board no later than seven working 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 primary, the first 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; and
  - 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."

**SECTION 9.(d)** G.S. 163-278.9(d) reads as rewritten:

"(d) Candidates and committees for municipal offices are not subject to subsections (a), (b) and (c) of this ~~section~~ section, unless they make contributions or expenditures concerning elections covered by this Part. Reports for those candidates and committees are covered by Part 2 of this Article."

**SECTION 9.(e)** This section becomes effective December 1, 2008.

**SECTION 10.(a)** G.S. 163-278.8 is amended by adding a new subsection to read:

"(h) The treasurer shall maintain all moneys of the political committee in a bank account or bank accounts used exclusively by the political committee and shall not commingle those funds with any other moneys."

**SECTION 10.(b)** This section becomes effective September 1, 2008.

**SECTION 10.1.(a)** G.S. 163-98 reads as rewritten:

**"§ 163-98. General election participation by new political party.**

In the first general election following the date on which a new political party qualifies under the provisions of G.S. 163-96, it shall be entitled to have the names of its candidates for national, State, congressional, and local offices printed on the official ballots upon paying a filing fee equal to that provided for candidates for the office in G.S. 163-107 or upon complying with the alternative available to candidates for the office in G.S. 163-107.1.

For the first general election following the date on which it qualifies under G.S. 163-96, a new political party shall select its candidates by party convention. Following adjournment of the nominating convention, but not later than the first day of July prior to the general election, the president of the convention shall certify to the State Board of Elections the names of persons chosen in the convention as the new party's candidates in the ensuing general election. Any candidate nominated by a new party shall be affiliated with the party at the time of certification to the State Board of Elections. The requirement of affiliation with the party will be met if the candidate submits at or before the time of certification as a candidate an application to change party affiliation to that party. The State Board of Elections shall print names thus certified on the appropriate ballots as the nominees of the new party. The State Board of Elections shall send to each county board of elections the list of any new party candidates so that the county board can add those names to the appropriate ballot."

**SECTION 10.1.(b)** This section becomes effective January 1, 2009, and applies to elections held on or after that date.

**SECTION 10.2.(a)** G.S. 163-278.66(a) reads as rewritten:

"(a) ~~Reporting by Participating and Certified Candidates. Reporting by Noncertified Candidates and Other Entities.~~ – Any noncertified candidate with a certified opponent shall report total ~~income, expenses, and obligations~~ contributions received to the Board by facsimile machine or electronically

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within 24 hours after the total amount of ~~campaign expenditures or obligations made, or funds raised or borrowed, contributions received~~ exceeds eighty percent (80%) of the trigger for matching funds as defined in G.S. 163-278.62(18). Any entity making independent expenditures in support of or opposition to a certified candidate or in support of a candidate opposing a certified candidate, or paying for electioneering communications, referring to one of those candidates, shall report the total ~~funds received, spent, or obligated for those expenditures or payments~~ made to the Board by facsimile machine or electronically within 24 hours after the total amount of expenditures ~~or obligations made, or funds raised or borrowed, or payments made~~ for the purpose of making the independent expenditures or electioneering communications exceeds five thousand dollars (\$5,000). After ~~this the initial~~ 24-hour filing, the noncertified candidate or other reporting entity shall comply with an expedited reporting ~~schedule by filing additional reports after receiving each additional amount in excess of one thousand dollars (\$1,000) or after making or obligating to make each additional expenditure(s) or payment(s) in excess of one thousand dollars (\$1,000).~~ schedule. The schedule and forms for reports required by this subsection shall be ~~made according to procedures developed~~ supplied by the Board."

**SECTION 10.2.(b)** G.S. 163-278.99A(a) reads as rewritten:

"(a) Reporting by Noncertified Candidates and Other Entities. – Any nonparticipating candidate with a certified opponent shall report total ~~income, expenses, and obligations~~ contributions received to the Board by facsimile machine or electronically within 24 hours after the total amount of ~~campaign-related expenditures or obligations made, or funds raised or borrowed, contributions received~~ exceeds eighty percent (80%) of the trigger for matching funds as defined in G.S. 163-278.96(17). Any entity making independent expenditures in support of or in opposition to a certified candidate, or in support of a candidate opposing a certified candidate, or paying for electioneering communications referring to one of those candidates, shall report the total funds received, spent, or obligated for those expenditures or payments to the Board by facsimile machine or electronically within 24 hours after the total amount of expenditures or obligations made, or funds raised or borrowed, for the purpose of making the independent expenditures or electioneering communications exceeds five thousand dollars (\$5,000). After ~~this the initial~~ 24-hour filing, the nonparticipating candidate or other reporting entity shall comply with an expedited reporting ~~schedule by filing additional reports after receiving an additional amount in excess of one thousand dollars (\$1,000) or after making or obligating to make an additional expenditure or payment in excess of one thousand dollars (\$1,000).~~ schedule. The schedule and forms for reports required by this subsection shall be ~~made according to procedures developed~~ supplied by the Board."

**SECTION 10.2.(c)** This section is effective when it becomes law.

**SECTION 10.3.(a)** G.S. 163-278.82 is amended by adding a new subsection to read:

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"(d) Limitation on Prohibition. – The prohibition in this section shall not apply unless the electioneering communication at issue is susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate."

**SECTION 10.3.(b)** G.S. 163-278.92 is amended by adding a new subsection to read:

"(d) Limitation on Prohibition. – The prohibition in this section shall not apply unless the electioneering communication at issue is susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate."

**SECTION 10.3.(c)** This section is effective when it becomes law.

**SECTION 11.(a)** G.S. 163-278.9(a)(4a) reads as rewritten:

"(4a) 48-Hour Report. – A political committee or political party that receives a contribution or transfer of funds ~~from any political committee~~ shall disclose within 48 hours of receipt a contribution or transfer of one thousand dollars (\$1,000) or more received before an election but after the period covered by the last report due before that election. The disclosure shall be by report to the State Board of Elections identifying the source and amount of the funds. The State Board of Elections shall specify the form and manner of making the ~~report~~ report, including the reporting of in-kind contributions."

**SECTION 11.(b)** G.S. 163-278.9A(a)(2a) reads as rewritten:

"(2a) 48-Hour Report. – A referendum committee that receives a contribution or transfer of funds ~~from any political committee~~ shall disclose within 48 hours of receipt a contribution or transfer of one thousand dollars (\$1,000) or more received before a referendum but after the period covered by the last report due before that referendum. The disclosure shall be by report to the State Board of Elections identifying the source and amount of such funds. The State Board of Elections shall specify the form and manner of making the ~~report~~ report, including the reporting of in-kind contributions."

**SECTION 11.(c)** This section becomes effective October 1, 2008.

**SECTION 12.** Except as otherwise provided in this act, this act is effective when it becomes law.

Upon motion of Senator Clodfelter, the rules are suspended and the Conference Report, which changes the title, is placed on today's Calendar for adoption.

The Senate recesses at 9:59 A.M. to reconvene at 10:30 A.M.

**RECESS**

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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 a leave of absence for the remainder of today's session to Senator Shaw.*

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1875 on Thursday, July 17, the President orders the bill enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 132**

July 18, 2008

(Conference Committee Substitute), AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO INCREASE THE PENALTY IN CERTAIN CIRCUMSTANCES WHERE THERE IS A SOLICITATION BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT AND TO PROVIDE FOR CIVIL LIABILITY; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE.

Pursuant to your message that you have adopted the report of the Conferees, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 132 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1878** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY

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LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1878 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1925** (Conference Committee Substitute), AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE

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RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX  
REFORM ALLOCATION COMMITTEE.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1925 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 1230** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS AND TO CHANGE THE TOURISM ABC ESTABLISHMENT MILEAGE REQUIREMENT.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
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Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute No. 2 for **S.B. 1407**, A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, and requests conferees, Speaker Hackney appoints:

Representative Gibson, Chair  
Representative Tillis  
Representative Carney, and  
Representative J. Harrell

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

Pursuant to the information that your Honorable Body failed to concur in the House Amendment No. 1 for **S.B. 1100**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY, and requests conferees, Speaker Hackney appoints:

Representative Haire, Chair  
Representative Rapp  
Representative Sutton, and  
Representative West

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on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### WITHDRAWAL FROM COMMITTEE

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION, re-referred to the **Appropriations/Base Budget Committee** on Wednesday, July 16.

Pursuant to Rule 47 (a), Senator Rand offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and places it on today's Calendar.

The Senate recesses at 11:05 A.M. for the purpose of a Rules and Operations of the Senate Committee meeting to reconvene at 11:10 A.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.

#### CONFERENCE REPORT

Senator Albertson, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 845** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES

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GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, submits for adoption the following report:

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 845, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE GOVERNING THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011 AND TO SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013; (6) CLARIFY THE PROCEDURE FOR

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RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) ESTABLISH, CONSOLIDATE, AMEND, OR REPEAL CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (8) CORRECT TECHNICAL ERRORS IN VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, House Committee Substitute Favorable 7/15/08, submit the following report:

The Senate concurs in the House Committee Substitute with an amendment:

Delete the entire House Committee Substitute Favorable 7/15/08, and substitute the attached Proposed Conference Committee Substitute S845-PCCS85499-RT-2.

The House agrees to the same.

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

Date Conferees approved report: July 18, 2008.

*Conferees for the Senate*                      *Conferees for the House of Representatives*

S/Charles W. Albertson, Chair	S/Pryor Gibson, Chair
S/Daniel G. Clodfelter	S/Lucy T. Allen
S/Stan Bingham	S/Carolyn H. Justice
S/Bob Atwater	S/Pricey Harrison

The text of the attached Proposed Conference Committee Substitute S845-PCCS85499-RT-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE

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TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143-214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE

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ENVIRONMENT AND NATURAL RESOURCES, AS  
RECOMMENDED BY THE ENVIRONMENTAL REVIEW  
COMMISSION.

The General Assembly of North Carolina enacts:

**PART I. AMEND ENVIRONMENTAL AND NATURAL RESOURCES  
LAWS.**

**SECTION 1.** G.S. 87-97(h) reads as rewritten:

"(h) Drinking Water Testing. – Within 30 days after it issues a certificate of completion for a newly constructed private drinking water well, the local health department shall test the water obtained from the well or ensure that the water obtained from the well has been sampled and tested by a certified laboratory in accordance with rules adopted by the Commission for Public Health. The water shall be tested for the following parameters: arsenic, barium, cadmium, chromium, copper, fluoride, lead, iron, magnesium, manganese, mercury, nitrates, nitrites, selenium, silver, sodium, zinc, pH, ~~and~~ bacterial indicators, methyl tert-butyl ether, ethylene dibromide, 1,2-dichloroethane, 1,2-dichloropropane, isopropyl ether, benzene, toluene, ethylbenzene, xylenes, trichloroethylene, and tetrachloroethylene."

**SECTION 2.(a)** G.S. 19A-24 reads as rewritten:

**"§ 19A-24. Powers of Board of Agriculture.**

**(a)** The Board of Agriculture shall:

- (1) Establish standards for the care of animals at animal shelters, boarding kennels, pet shops, and public auctions. A boarding kennel that offers dog day care services and has a ratio of dogs to employees or supervisors, or both employees and supervisors, of not more than 10 to one, shall not as to such services be subject to any regulations that restrict the number of dogs that are permitted within any primary enclosure.
- (2) Prescribe the manner in which animals may be transported to and from registered or licensed premises.
- (3) Require licensees and holders of certificates to keep records of the purchase and sale of animals and to identify animals at their establishments.
- (4) Adopt rules to implement this Article, including federal regulations promulgated under Title 7, Chapter 54, of the United States Code.
- (5) Adopt rules on the euthanasia of animals in the possession or custody of any person required to obtain a certificate of registration under this Article. An animal shall only be put to death by a method and delivery of method approved by the American Veterinary Medical Association, the Humane Society of the United States, or the American

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Humane Association. The Department shall establish rules for the euthanasia process using any one or combination of methods and standards prescribed by the three aforementioned organizations. The rules shall address the equipment, the process, and the separation of animals, in addition to the animals' age and condition. If the gas method of euthanasia is approved, rules shall require (i) that only commercially compressed carbon monoxide gas is approved for use, and (ii) that the gas must be delivered in a commercially manufactured chamber that allows for the individual separation of animals. Rules shall also mandate training for any person who participates in the euthanasia process.

(b) In addition to rules on the euthanasia of animals adopted pursuant to subdivision (5) of subsection (a) of this section, the Board of Agriculture may adopt rules on the euthanasia of animals for:

- (1) Written and practical examinations for persons who perform euthanasia.
- (2) Issuance of certification to persons who have successfully completed both training and examinations to become a euthanasia technician.
- (3) Recertification of euthanasia technicians on a periodic basis.
- (4) Standards and procedures for the approval of persons who conduct training of euthanasia technicians.
- (5) Approval of materials for use in euthanasia technician training.
- (6) Minimum certification criteria for persons seeking to become euthanasia technicians including, but not limited to: age; previous related experience; criminal record; and other qualifications that are related to an applicant's fitness to perform euthanasia.
- (7) Denial, suspension, or revocation of certification of euthanasia technicians who either violate any provision of the Animal Welfare Act pursuant to Article 3 of Chapter 19A of the General Statutes or otherwise become ineligible for certification.
- (8) Provision of the names of persons who perform euthanasia at animal shelters and for the animal shelter to notify the Department when those persons are no longer affiliated, employed, or serving as a volunteer with the shelter.
- (9) Certified euthanasia technicians to notify the Department when they are no longer employed by or are serving as a volunteer at an animal shelter.
- (10) The duties, responsibilities, and standards of conduct for certified euthanasia technicians."

**SECTION 2.(b)** It is the intention of the General Assembly that the authorization to adopt rules governing euthanasia of animals set out in subsection (b) of G.S. 19A-24, as enacted by subsection (a) of this section, constitute sufficient statutory authority to support the adoption of 02 NCAC 52J .0401 through 02 NCAC 52J .0420, 02 NCAC 52J .0501 and 02 NCAC 52J .0502, 02 NCAC 52J .0602 through 02 NCAC 52J .0610, 02 NCAC 52J .0701 through 02 NCAC 52J .0705, and 02 NCAC 52J .0801 through 02 NCAC 52J .0803, as adopted by the Board of Agriculture on 13 February 2008.

**SECTION 3.** The Blue Crab Research Program, administered by the North Carolina Sea Grant Program, shall be renamed the Blue Crab and Shellfish Research Program. Funds appropriated to the Program may be used for research on blue crabs, oysters, scallops, clams, and other shellfish.

**SECTION 4.** G.S. 136-123(b) reads as rewritten:

"(b) No landscaping or highway beautification project undertaken by the Department or any other unit of government may use oyster shells as a ground cover. The Department or any other unit of government that ~~comes into possession of~~ possesses oyster shells shall make them available to the Department of Environment and Natural Resources, Division of Marine Fisheries, without remuneration, for use in any oyster bed revitalization programs or any other program that may use the shells."

**SECTION 5.** If Senate Bill 1967 becomes law, then Section 4 of Senate Bill 1967 is designated subsection (a) of Section 4, and a new subsection (b) of Section 4 is inserted after subsection (a) to read:

"**SECTION 4.(b)** Temporary Limitation on Additional Rule Making. –

- (1) In order to provide sufficient time for full implementation of this act, to provide sufficient time for accumulation and evaluation of data as to the effect of implementation of this act on coastal water quality, to provide time for additional scientific study of factors that impact coastal water quality, to allow for the development of proposals for improvements to the provisions of Section 2 of this act based on careful consideration of the foregoing, and to provide a period of predictability for persons who may be affected by the provisions of Section 2 of this act; except as may be specifically required by federal law and except as provided in subsection (a) of this section; the Environmental Management Commission shall not begin a procedure to adopt any additional temporary or permanent rule governing the management of stormwater runoff in the Coastal Counties pursuant to subdivisions (1) and (3) of G.S.143-214.7(b) prior to 1 October 2011.
- (2) Before the Environmental Management Commission begins a procedure to adopt any additional temporary or permanent rule governing the management of stormwater runoff in the Coastal Counties pursuant to subdivisions (1) and (3) of G.S.143-214.7(b), the Environmental

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Management Commission shall submit a report to the Environmental Review Commission that details the effect of the implementation of Section 2 of this act on coastal water quality. The report shall include information on improvements in coastal water quality, remaining deficiencies in coastal water quality, and the measures that the Environmental Management Commission believes may be necessary to maintain and further improve coastal water quality.

- (3) Any additional rules that the Environmental Management Commission may adopt governing the management of stormwater runoff in the Coastal Counties pursuant to subdivisions (1) and (3) of G.S.143-214.7(b) shall not become effective prior to 1 October 2013.
- (4) If the Environmental Management Commission adopts a temporary or permanent rule pursuant to the authority of any provision of State law other than subdivisions (1) and (3) of G.S.143-214.7(b) that governs the management of stormwater runoff in the Coastal Counties, the provisions of that rule shall not apply within the Coastal Counties until 1 October 2011 except as may be specifically required by federal law and except as provided in subsection (a) of this section."

**SECTION 6.(a)** If Senate Bill 1967 becomes law, then subsection (c) of Section 2 of Senate Bill 1967 reads as rewritten:

**"SECTION 2.(c)** Requirements for Limited Residential Development in Coastal Counties. – For residential development activities within the 20 Coastal Counties that are located within one-half mile and draining to Class SA waters, that have a built upon area greater than twelve percent (12%), that do not require a stormwater management permit under subsection (b) of this section, and that will add more than 10,000 square feet of built upon area, a one-time, nonrenewable stormwater management permit shall be obtained. The permit shall require recorded ~~deed~~-restrictions or protective covenants to be recorded on the property in the Office of the Register of Deeds in the county where the property is located prior to the issuance of a certificate of occupancy in order to ensure that the plans and specifications approved in the permit are maintained. Under this permit, stormwater runoff shall be managed using any one or combination of the following practices:

- (1) Install rain cisterns or rain barrels designed to collect all rooftop runoff from the first one and one-half inches of rain. Rain barrels and cisterns shall be installed in such a manner as to facilitate the reuse of the collected rain water on site and shall be installed in such a manner that any overflow from these devices is directed to a vegetated area in a diffuse flow. Construct all uncovered driveways,

uncovered parking areas, uncovered walkways, and uncovered patios out of permeable pavement or other pervious materials.

- (2) Direct rooftop runoff from the first one and one-half inches of rain to an appropriately sized and designed rain garden. Construct all uncovered driveways, uncovered parking areas, uncovered walkways, and uncovered patios out of permeable pavement or other pervious materials.
- (3) Install any other stormwater best management practice that meets the requirements of 15A NCAC 02H .1008 to control and treat the stormwater runoff from all built upon areas of the site from the first one and one-half inches of rain."

**SECTION 6.(b)** Subsection (f) of Section 9 of S.L. 2006-246 reads as rewritten:

"(f) Permittees, delegated programs, and regulated entities must impose or require recorded ~~deed~~-restrictions and protective covenants to be recorded on the property in the Office of the Register of Deeds in the county where the property is located prior to the issuance of a certificate of occupancy in order to that ensure that development activities will maintain the project consistent with approved plans."

**SECTION 7.(a)** G.S. 143-215.94B is amended by adding a new subsection to read:

"(h) The Commercial Fund may be used to reimburse the owner or operator of a commercial petroleum underground storage tank for annual operating fees that were paid under protest pursuant to G.S. 143-215.94C(f) to the extent the Department has recovered the fees from the previous owner or operator from whom the annual operating fees were due. The Commercial Fund may be used only to reimburse those fees that the owner or operator paid to eliminate an unpaid annual operating fees balance that had been accrued by and was the obligation of a previous owner or operator."

**SECTION 7.(b)** G.S. 143-215.94C is amended by adding a new subsection to read:

"(f) A person who becomes the owner or operator of a commercial petroleum underground storage tank may pay, under protest, unpaid annual operating fees that were the obligation of a previous owner or operator for the purpose of obtaining an operating permit for the underground storage tanks. An owner or operator who pays unpaid operating fees that were due from a previous owner or operator may request reimbursement of those fees as provided in G.S. 143-215.94B(h). In collecting unpaid annual operating fees, the Department shall diligently seek to collect unpaid annual operating fees from the person who was the owner or operator of the commercial petroleum underground storage tank at the time the fee first became due notwithstanding the fact that those fees were paid under protest as provided in this subsection."

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**SECTION 8.(a)** Section 6.22 of S.L. 2007-323 is repealed.

**SECTION 8.(b)** Chapter 113A of the General Statutes is amended by adding a new Article to read:

"Article 4A.

"Vehicular Surface Areas.

**"§ 113A-71. Definitions.**

(a) The definitions set out in Article 4 of this Chapter apply to this Article.

(b) As used in this section:

- (1) "Impervious surface" means any material that prevents the natural infiltration of water into the soil.
- (2) "Land-disturbing activity" has the same meaning as in G.S. 113A-52.
- (3) "Private passenger vehicle" has the same meaning as in G.S. 20-4.01.
- (4) "Vehicular surface area" means an area primarily used for the parking of private passenger vehicles. "Vehicular surface area" includes the means of ingress and egress to the area where private passenger vehicles are parked. "Vehicular surface area" includes any median, traffic island, or other traffic control device or structure contained wholly within the vehicular parking area. "Vehicular surface area" does not include covered vehicle parking areas or multilevel vehicle parking areas.

**"§ 113A-72. Vehicular surface areas.**

(a) Alternative Requirements. – For land-disturbing activity that will result in an increase in vehicular surface area of one acre or more, either:

- (1) No more than eighty percent (80%) of the surface area of the vehicular surface area may be impervious surface, or
- (2) The stormwater runoff generated by the first two inches of rain that fall on at least twenty percent (20%) of the vehicular service area during a storm event must flow to an appropriately sized bioretention area that is designed in accordance with the standards established by the Department.

(b) Building Permit. – No permit shall be issued under G.S. 153A-357 or G.S. 160A-417 for any land-disturbing activity that does not comply with the requirements of this section.

(c) Applicability. – This section does not apply in any area of the State in which any of the following programs is being implemented:

- (1) Water Supply Watershed I (WS-I) – 15A NCAC 2B.0212.
- (2) Water Supply Watershed II (WS-II) – 15A NCAC 2B.0214.
- (3) Water Supply Watershed III (WS-III) – 15A NCAC 2B.0215.
- (4) Water Supply Watershed IV (WS-IV) – 15A NCAC 2B.0216.

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- (5) Freshwater High Quality Waters (HQW) – 15A NCAC 2H.1006.
- (6) Freshwater Outstanding Resource Waters (ORW) – 15A NCAC 2H.1007.
- (7) The Neuse River Basin Nutrient Sensitive Waters (NSW) Management Strategy – 15A NCAC 2B.0235.
- (8) The Tar-Pamlico River Basin Nutrient Sensitive (NSW) Management Strategy – 15A NCAC 2B.0258.
- (9) The Randleman Lake Water Supply Watershed Nutrient Management Strategy – 15A NCAC 2B.0251.
- (10) Phase II Stormwater Management – S.L. 2006-246.
- (11) Stormwater Requirements: Coastal Counties – 15A NCAC 02H.1005."

**SECTION 8.(c)** G.S. 153A-357 is amended by adding a new subsection to read:

"(d) No permit shall be issued pursuant to subsection (a) of this section for any land-disturbing activity that is subject to, but does not comply with, the requirements of G.S. 113A-72."

**SECTION 8.(d)** G.S. 160A-417 is amended by adding a new subsection to read:

"(c) No permit shall be issued pursuant to subsection (a) of this section for any land-disturbing activity that is subject to, but does not comply with, the requirements of G.S. 113A-72."

**SECTION 8.(e)** If Senate Bill 1967 becomes law, then G.S. 113A-72(c)(11), as enacted by subsection (b) of this section, reads as rewritten:

- "(11) ~~Stormwater Requirements: Coastal Counties – 15A NCAC 02H.1005.~~ Coastal Stormwater Management – Section 2 of S.L. 2008-XXX."

**SECTION 8.(f)** The Revisor of Statutes shall substitute the correct Session Law Chapter Number for "XXX" in G.S. 113A-72(c)(11), as rewritten by subsection (e) of this section.

**SECTION 9.** For purposes of this section, "contamination of drinking water" means any exceedance of the drinking water standards adopted by the United States Environmental Protection Agency pursuant to the federal Safe Drinking Water Act or by the drinking water standards adopted by the Commission for Health Services pursuant to Article 10 of Chapter 130A of the General Statutes. It is the intent of the General Assembly that the Department of Environment and Natural Resources aggressively compel persons who are responsible for contamination of groundwater that results in contamination of drinking water to assess and remediate the groundwater contamination as required by law.

## **PART II. REPORTS CONSOLIDATION.**

**SECTION 10.1.** Subsection (e) of G.S. 143B-279.12 is repealed.

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**SECTION 10.2.** Subsection (c) of G.S. 143B-279.13 is repealed.

**SECTION 10.3.** Article 7 of Chapter 143B of the General Statutes is amended by adding a new section to read:

**"§ 143B-279.15. Report on One-Stop Permitting Program and Express Permitting Program.**

No later than 1 March of each year, the Department of Environment and Natural Resources shall report to the Fiscal Research Division of the General Assembly and the Environmental Review Commission on the One-Stop for Certain Environmental Permits Program established by G.S. 143B-279.12 and the Express Permit and Certification Reviews Program established by G.S. 143B-279.13. The report shall include:

- (1) The number of environmental permits subject to G.S. 143B-279.12 that took more than 90 days to issue or deny, the types of permits those were, the reasons for the extended processing time of those permits, and how the time within which the permit was actually issued or denied compared with the projected time frame provided to the applicant by the Department as provided by G.S. 143B-279.12. Based on the data gathered in this subdivision, the Department shall include recommendations regarding permit time frames for all major permits issued by the Department.
- (2) Findings on the success of the Express Permit and Certification Reviews program established by G.S. 143B-279.13 and any other findings or recommendations, including any legislative proposals that it deems pertinent."

**PART III. TECHNICAL CORRECTIONS.**

**SECTION 11.1.** G.S. 143-64.12(a) reads as rewritten:

"(a) The Department of Administration through the State Energy Office shall develop a comprehensive program to manage energy, water, and other utility use for State agencies and State institutions of higher learning and shall update this program annually. Each State agency and State institution of higher learning shall develop and implement a management plan that is consistent with the State's comprehensive program under this subsection to manage energy, water, and other utility use. The energy consumption per gross square foot for all State buildings in total shall be reduced by twenty percent (20%) by 2010 and thirty percent (30%) by 2015 based on energy consumption for the ~~2003-2004~~2002-2003 fiscal year. Each State agency and State institution of higher learning shall update its management plan annually and include strategies for supporting the energy consumption reduction requirements under this subsection. Each community college shall submit to the State Energy Office an annual written report of utility consumption and costs."

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**SECTION 11.2.** G.S. 143-215.3A(a) reads as rewritten:

"(a) The Water and Air Quality Account is established as a nonreverting account within the Department. Revenue in the Account shall be applied to the costs of administering the programs for which the fees were collected. Revenue credited to the Account pursuant to G.S. 105-449.43, G.S. 105-449.125, ~~405-449.134~~, and ~~405-449.43~~G.S. 105-449.136 shall be used to administer the air quality program. Except for the following fees, all application fees and permit administration fees collected by the State for permits issued under Articles 21, 21A, 21B, and 38 of this Chapter shall be credited to the Account:

- (1) Fees collected under Part 2 of Article 21A and credited to the Oil or Other Hazardous Substances Pollution Protection Fund.
- (2) Fees credited to the Title V Account.
- (3) Repealed by Session Laws 2005-454, s. 7, effective January 1, 2006.
- (4) Fees collected under G.S. 143-215.28A.
- (5) Fees collected under G.S. 143-215.94C shall be credited to the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund."

**SECTION 11.3.** If House Bill 819 becomes law, then G.S. 130A-309.91(9), as enacted by Section 1 of House Bill 819, reads as rewritten:

- "(9) Television manufacturer. – A person that: (i) manufactures for sale in this State a television under a brand that it licenses or owns; (ii) manufactures for sale in this State a television without affixing a brand; (iii) resells into this State a television under a brand it owns or licenses produced by other suppliers, including retail establishments that sell a television under a brand that the retailer owns or licenses; (iv) imports into the United States or exports from the United States a television for sale in this State; (v) sells at retail a television acquired from an importer that is the manufacturer as described in ~~(i) sub-subdivision (iv)~~ of this subdivision, and the retailer elects to register in lieu of the importer as the manufacturer of those products; (vi) manufactures a television for or supplies a television to any person within a distribution network that includes wholesalers or retailers in this State and that benefits from the sale in this State of the television through the distribution network; or (vii) assumes the responsibilities and obligations of a television manufacturer under this Part. In the event the television manufacturer is one that manufactures, sells, or resells under a brand it licenses, the licensor or brand owner of the brand shall not be considered to be a television manufacturer under (i) or (iii) of this subdivision."

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**SECTION 11.4.** If House Bill 819 becomes law, the prefatory language to Section 7 of that act is amended by deleting "Section 16" and substituting "Section 16.6".

**SECTION 11.5.** If House Bill 821 becomes law, then G.S. 143-215.22L(c), as amended by Section 1 of House Bill 821, reads as rewritten:

"(c) Notice of Intent to File a Petition. – An applicant shall prepare a notice of intent to file a petition that includes a nontechnical description of the applicant's request and an identification of the proposed water source. Within 90 days after the applicant files a notice of intent to file a petition, the applicant shall hold at least one public meeting in the source river basin upstream from the proposed point of withdrawal, at least one public meeting in the source river basin downstream from the proposed point of withdrawal, and at least one public meeting in the receiving river basin to provide information to interested parties and the public regarding the nature and extent of the proposed transfer and to receive comment on the scope of the environmental documents. Written notice of the public meetings shall be provided at least 30 days before the public meetings. At the time the applicant gives notice of the public meetings, the applicant shall request comment on the alternatives and issues that should be addressed in the environmental documents required by this section. The applicant shall accept written comment on the scope of the environmental documents for a minimum of 30 days following the last public meeting. Notice of the public meetings and opportunity to comment on the scope of the environmental documents shall be provided as follows:

- (1) By publishing notice in the North Carolina Register.
- (2) By publishing notice in a newspaper of general circulation in:
  - a. Each county in this State located in whole or in part of the area of the source river basin upstream from the proposed point of withdrawal.
  - b. Each city or county located in a state located in whole or in part of the surface drainage basin area of the source river basin that also falls within, in whole or in part, the area denoted by one of the following eight-digit cataloging units as organized by the United States Geological Survey:
    - 03050101 (Broad River: NC and SC);
    - 03050103 (Broad River: NC and SC);
    - 03050107 (Broad River: SC);
    - 03050108 (Broad River: SC);
    - 03050109 (Broad River: SC);
    - 03050110 (Broad River: SC);
    - 03010101 (New River: VA);
    - 03040101 (New River: VA and NC);
    - 05050002 (New River: VA and WV);
    - 05050003 (New River: WV);

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05070201 (New River: KY, VA, and WV);  
06010102 (New River: TN and VA);  
06010205 (New River: TN and VA);  
03050102 (Catawba River: NC);  
03050105 (Catawba River: NC and SC);  
03050106 (Catawba River: SC);  
03050111 (Catawba River: SC);  
03010202 (Chowan River: NC and VA);  
03010205 (Chowan River: NC and VA);  
03010102 (Chowan River: NC and VA);  
03010201 (Chowan River: NC and VA);  
06010108 (French Broad River: NC and TN);  
06010105 (French Broad River: NC and TN);  
06010106 (French Broad River: NC and TN);  
06010201 (French Broad River: TN);  
03130001 (Hiwassee River: GA);  
03150103 (Hiwassee River: GA);  
03150105 (Hiwassee River: AL and GA);  
03150106 (Hiwassee River: AL);  
06020003 (Hiwassee River: GA, NC, and TN);  
06020004 (Hiwassee River: TN);  
06030001 (Hiwassee River: AL, GA, and TN);  
03060102 (Little Tennessee River: GA, NC, and SC);  
06010104 (Little Tennessee River: TN);  
06010107 (Little Tennessee River: TN);  
06010202 (Little Tennessee River: TN, GA, and NC);  
06010203 (Little Tennessee River: NC);  
06010204 (Little Tennessee River: NC and TN);  
06010207 (Little Tennessee River: TN);  
06010208 (Little Tennessee River: TN);  
06020001 (Little Tennessee River: AL, GA, TN);  
06020002 (Little Tennessee River: GA, NC, TN);  
03060101 (Savannah River: NC and SC);  
03060103 (Savannah River: GA and SC);  
03060104 (Savannah River: GA);  
03060105 (Savannah River: GA);

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03060107 (Savannah River: SC);  
03040203 (Lumber River: NC and SC);  
03040204 (Lumber River: NC and SC);  
03040201 (Lumber River: NC and SC);  
03040206 (Lumber River: NC and SC);  
03050112 (Lumber River: SC);  
02080108 (Albemarle Sound: VA);  
02080208 (Albemarle Sound: VA);  
03010203 (Albemarle Sound: NC and VA);  
03150101 (Ocoee River: GA and TN);  
03150102 (Ocoee River: GA);  
03150104 (Ocoee River: GA);  
02080201 (Roanoke River: VA and WV);  
02080203 (Roanoke River: VA);  
02080207 (Roanoke River: VA);  
03010104 (Roanoke River: NC and VA);  
03010105 (Roanoke River: VA);  
03010106 (Roanoke River: NC and VA);  
03010204 (Roanoke River: NC and VA);  
05050001 (Watauga River: NC and VA);  
06010101 (Watauga River: TN and VA);  
06010103 (Watauga River: NC and TN);  
03010103 (Yadkin River: NC and VA);  
03040104 (Yadkin River: NC and SC);  
03040207 (Yadkin River: NC and SC);  
03040105 (Yadkin River: NC and SC);  
03040202 (Yadkin River: NC and SC);  
03040205 (Yadkin River: SC);  
03050104 (Yadkin River: SC);  
03050105 (Broad River: NC and SC);  
03050106 (Broad River: SC);  
03050107 (Broad River: SC);  
03050108 (Broad River: SC);  
05050001 (New River: NC and VA);  
05050002 (New River: VA and WV);  
03050101 (Catawba River: NC and SC);  
03050103 (Catawba River: NC and SC);  
03050104 (Catawba River: SC);  
03010203 (Chowan River: NC and VA);  
03010204 (Chowan River: NC and VA);  
06010105 (French Broad River: NC and  
TN);  
06010106 (French Broad River: NC and  
TN);  
06010107 (French Broad River: TN);  
06010108 (French Broad River: NC and  
TN);

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06020001 (Hiwassee River: AL, GA, TN);  
06020002 (Hiwassee River: GA, NC, TN);  
06010201 (Little Tennessee River: TN);  
06010202 (Little Tennessee River: TN, GA,  
and NC);  
06010204 (Little Tennessee River: NC and  
TN);  
03060101 (Savannah River: NC and SC);  
03060102 (Savannah River: GA, NC, and  
SC);  
03060103 (Savannah River: GA and SC);  
03060104 (Savannah River: GA);  
03060105 (Savannah River: GA);  
03040203 (Lumber River: NC and SC);  
03040204 (Lumber River: NC and SC);  
03040206 (Lumber River: NC and SC);  
03040207 (Lumber River: NC and SC);  
03010205 (Albemarle Sound: NC and VA);  
06020003 (Ocoee River: GA, NC, and TN);  
03010101 (Roanoke River: VA);  
03010102 (Roanoke River: NC and VA);  
03010103 (Roanoke River: NC and VA);  
03010104 (Roanoke River: NC and VA);  
03010105 (Roanoke River: VA);  
03010106 (Roanoke River: NC and VA);  
06010102 (Watauga River: TN and VA);  
06010103 (Watauga River: NC and TN);  
03040101 (Yadkin River: VA and NC);  
03040104 (Yadkin River: NC and SC);  
03040105 (Yadkin River: NC and SC);  
03040201 (Yadkin River: NC and SC);  
03040202 (Yadkin River: NC and SC).

- c. Each county in this State located in whole or in part of the area of the source river basin downstream from the proposed point of withdrawal.
  - d. Any area in the State in a river basin for which the source river basin has been identified as a future source of water in a local water supply plan prepared pursuant to G.S. 143-355(l).
  - e. Each county in the State located in whole or in part of the receiving river basin.
- (3) By giving notice by first-class mail or electronic mail to each of the following:
- a. The board of commissioners of each county in this State or the governing body of any county or

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- city that is politically independent of a county in any state that is located entirely or partially within the source river basin of the proposed transfer and that also falls within, in whole or in part, the area denoted by one of the eight-digit cataloging units listed in sub-subdivision b. of subdivision (2) of this subsection.
- b. The board of commissioners of each county in this State or the governing body of any county or city that is politically independent of a county in any state that is located entirely or partially within the receiving river basin of the proposed transfer and that also falls within, in whole or in part, the area denoted by one of the eight-digit cataloging units listed in sub-subdivision b. of subdivision (2) of this subsection.
  - c. The governing body of any public water supply system that withdraws water upstream or downstream from the withdrawal point of the proposed transfer.
  - d. If any portion of the source or receiving river basins is located in another state, all state water management or use agencies, environmental protection agencies, and the office of the governor in ~~each adjacent~~ that state upstream or downstream from the withdrawal point of the proposed transfer.
  - e. All persons who have registered a water withdrawal or transfer from the proposed source river basin under this Part or under similar law in an ~~adjacent~~ another state.
  - f. All persons who hold a certificate for a transfer of water from the proposed source river basin under this Part or under similar law in an ~~adjacent~~ another state.
  - g. All persons who hold a National Pollutant Discharge Elimination System (NPDES) wastewater discharge permit for a discharge of 100,000 gallons per day or more upstream or downstream from the proposed point of withdrawal.
  - h. To any other person who submits to the applicant a written request to receive all notices relating to the petition."

**SECTION 11.6.** If House Bill 2499 becomes law, then G.S. 143-215.22H(d), as enacted by Section 1 of House Bill 2499, reads as rewritten:

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"(d) Any person who is required to register a water withdrawal or transfer under this section shall update the registration by providing the Commission with a current version of the information required by subsection (a) of this section at five-year intervals following the initial registration. A person who submits information to update a registration of a water withdrawal or transfer is not required to pay an additional registration fee under G.S. 143-215.3(a)(1a) and G.S. 143-215.3(a)(1b), but is subject to the ~~late registration fee~~ civil penalty established under this section in the event that updated information is not submitted as required by this subsection."

**SECTION 11.7.** If Senate Bill 1339 becomes law, then G.S. 75-90(a)(4), as enacted by Section 1 of Senate Bill 1339, reads as rewritten:

"(4) Gasoline. – Defined in ~~G.S. 105-449.60(15)a.~~ G.S. 105-449.60(22)a."

#### **PART IV. EFFECTIVE DATE.**

**SECTION 12.** Section 1 of this act becomes effective 1 October 2009. Section 2 of this act is retroactive to 1 November 2007. Section 6 of this act becomes effective 1 October 2008. Subsections (a), (e), and (f) of Section 8 of this act become effective when this act becomes law. Subsections (b), (c), and (d) of Section 8 of this act become effective 1 April 2009 and apply to building permits issued pursuant to G.S. 153A-357 and G.S. 160A-417 for which applications are received on or after that date. Sections 3, 4, 5, 7, and 9 through 12 of this act are effective when this act becomes law.

Upon motion of Senator Albertson, the rules are suspended and the Conference Report, which changes the title, is placed on today's Calendar for adoption.

*The Chair grants a leave of absence for the remainder of today's session to Senator Cowell.*

#### **CALENDAR** *(continued)*

**S.B. 845** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE

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ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143-214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, placed earlier on today's Calendar.

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Upon motion of Senator Albertson, the Senate adopts the Conference Report (40-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1263** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES, placed earlier on today's Calendar.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (35-6).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

*The Chair grants a leave of absence for the remainder of today's session to Senator Garrou.*

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Rand for the **Rules and Operations of the Senate Committee:**

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**H.B. 2431**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE STUDY COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 51074, which changes the title upon concurrence to read **H.B. 2431** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is placed on the Calendar for immediate consideration.

The Senate Committee Substitute bill passes its second (39-0) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

### CONFERENCE REPORT

Senator Hartsell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, submits for adoption the following report:

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 1407, A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, House Committee Substitute #2 Favorable 7/15/08, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute #2 Favorable 7/15/08, and the Senate concurs in the House Committee Substitute #2 as amended:

On page 1, line 15, by adding the following at the end of that line to read:

"A person who resells an admission ticket under this section acknowledges liability for the informational report required under subsection (e) of this section.";

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And on page 2, line 21, by deleting the quotation marks at the end of that line and by adding the following new subsection immediately thereafter:

"(e) Report on Receipts. – A person who resells or offers to resell admission tickets under this section must report each month to the Department of Revenue, under oath, on a form provided by the Department. The report is due by the 10<sup>th</sup> day after the end of each month and covers the gross receipts received during the previous month from reselling admission tickets to an event or venue in this State. The report must include all of the following:

- (1) The total amount of gross receipts derived from reselling an admission ticket on the Internet to an event or venue in this State. For purposes of this subsection, gross receipts exclude the price printed on the face of the ticket.
- (2) The event for which admission tickets are sold and the venue where the event will occur.
- (3) The person or venue from whom the reseller purchased admission tickets.
- (4) The acquisition price of the admission tickets.
- (5) The price received by the reseller for the admission tickets.
- (6) The name and address of the person to whom the admission ticket is resold, if the purchaser is a reseller.
- (7) Any other information required by the Secretary of Revenue.";

And on page 3, line 14, by rewriting the line to read:

**"SECTION 4.** This act becomes effective August 1, 2008, and expires June 30, 2009. The expiration of this act does not relieve a person's liability to file the report required under G.S. 14-344.1(e) for gross receipts received in June 2009. Liability for acts or omissions before the expiration date of this act are not abated or affected by the expiration. Section 3 of this".

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

Date Conferees approved report: July 18, 2008.

*Conferees for the Senate*

*Conferees for the House of Representatives*

S/Fletcher L. Hartsell, Jr., Chair

S/Pryor Gibson, Chair

S/Daniel G. Clodfelter

S/Becky Carney

S/Tony Rand

Jim Harrell, III

S/Thom Tillis

Upon motion of Senator Hartsell, the rules are suspended and the Conference Report is placed on today's Calendar for adoption.

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**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1263** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 18, 2008

Pursuant to the Senate having adopted the Conference Report for S.B. 1263 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 845** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER

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PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 845 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

**CALENDAR** *(continued)*

**S.B. 1407** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE

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INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET, placed earlier on today's Calendar.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (37-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

The Senate recesses at 12:02 P.M. to reconvene at 12:30 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 Dorsett and Senator East.*

### CALENDAR (continued)

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION, placed earlier on today's Calendar.

Senator Kinnaird offers Amendment No. 1 which is adopted (31-7).

Senator Kinnaird offers Amendment No. 2 which is adopted (26-12).

The Committee Substitute bill, as amended, passes its second reading (37-1).

Upon motion of Senator Nesbitt, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

### APPOINTMENT OF CONFERENCE COMMITTEE

**H.B. 2509** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

Pursuant to the message from the House of Representatives received Tuesday, July 15, that the House fails to concur in the Senate Committee

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Substitute bill for H.B. 2509 and requests conferees, Senator Rand announces the appointment of Senator Hoyle, Chair, Senator Clodfelter and Senator Kerr as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

### CONFERENCE REPORT

Senator Snow, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1100** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, submits for adoption the following report:

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 1100, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, Appropriations/Base Budget Committee Substitute Adopted 7/9/08, submit the following report:

The House recedes from its Amendment #2

The Senate concurs in House Amendment #1 with the following amendments:

(1) on page 1, line 15, delete "December 1, 2008", and substitute "January 1, 2009".

(2) on page 1, line 17, delete "August 15, 2008", and substitute "June 1, 2009".

The House agrees to those amendments.

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

Date Conferees approved report: July 18, 2008.

*Conferees for the Senate*

S/John Snow, Chair  
S/Don East  
S/Ed Jones

*Conferees for the House of Representatives*

S/R. Phillip Haire, Chair  
S/Ray Rapp  
S/Ronnie Sutton  
S/Roger West

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Upon motion of Senator Snow, the rules are suspended and the Conference Report, which changes the title, is placed on today's Calendar for immediate consideration for adoption.

Upon motion of Senator Snow, the Senate adopts the Conference Report (37-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1407** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1407 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **S.B. 1100**

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(Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY.

When a similar action has been taken on the part of the Senate, you may order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 1100 earlier today, the President orders the bill enrolled and sent to the Governor by special message.

#### **SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following special messages are received from the House of Representatives:

**S.B. 869** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ALLOWING ADULT BIOLOGICAL SIBLINGS OF ADULT ADOPTEES, ADULT BIOLOGICAL HALF SIBLINGS OF ADULT ADOPTEES, ADULT FAMILY MEMBERS OF DECEASED ADOPTEES, ADULT FAMILY MEMBERS OF BIOLOGICAL PARENTS, AND ADULT ADOPTIVE PARENTS OF AN ADULT ADOPTEE WHO IS INCOMPETENT TO HAVE ACCESS TO CONFIDENTIAL INTERMEDIARY SERVICES, for concurrence in the House Committee Substitute bill No. 2.

Referred to the **Rules and Operations of the Senate Committee.**

**H.B. 2438** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2008; TO MAKE CLARIFYING CHANGES TO THE NORTH CAROLINA HEALTH INSURANCE RISK POOL FUND; TO AUTHORIZE THE DEPARTMENT OF PUBLIC INSTRUCTION TO FUND ADDITIONAL PLANNING GRANTS FOR LEARN AND EARN AND EXPEND FUNDS TO INFORM EIGHTH AND NINTH GRADERS ABOUT OPPORTUNITIES FOR HIGHER EDUCATION PROGRAMS; TO MAINTAIN FIVE FLOODPLAIN MAPPING POSITIONS; TO ADJUST THE COMPENSATION OF THE CHIEF COURT OF APPEALS JUDGE TO

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CREATE AN EQUIVALENT PAY DIFFERENTIAL RELATIVE TO THE PAY OF THE CHIEF JUSTICE OF THE SUPREME COURT; TO AUTHORIZE WESTERN CAROLINA UNIVERSITY, UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE, AND MOUNTAIN AREA HEALTH EDUCATION CONSORTIUM TO EXPEND FUNDS FOR BUILDING THE NORTH CAROLINA CENTER FOR HEALTH AND AGING; AND TO PROVIDE THAT EAST CAROLINA UNIVERSITY, EDGECOMBE COMMUNITY COLLEGE, AND NASH COMMUNITY COLLEGE ADMINISTER JOINTLY THE NURSING AND ALLIED HEALTH PROGRAM HOUSED AT THE UNC UPPER COASTAL PLAIN HIGHER EDUCATION AND HEALTH CENTER.

The Committee Substitute bill is placed on today's Calendar.

#### **CALENDAR** *(continued)*

**H.B. 2438** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET.

Upon motion of Senator Rand, the Senate Committee Substitute bill is withdrawn from today's Calendar and is referred to the **Appropriations/Base Budget Committee**.

The Senate recesses at 1:21 P.M. for the purpose of an Appropriations/Base Budget Committee meeting to reconvene at 1:30 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 Smith and Senator Soles.*

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 16, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute

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for **H.B. 2509**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, and requests conferees.

Speaker Hackney has appointed:  
Representative Gibson  
Representative Weiss  
Representative Luebke, and  
Representative McGee

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF EDUCATIONAL PURPOSE IN THE SCHOOL CALENDAR LAW TO PROVIDE FOR THREE SYSTEMWIDE WAIVERS: (I) TO ALIGN THE CALENDAR WITH THAT OF A COMMUNITY COLLEGE OR UNIVERSITY IN THE GEOGRAPHIC AREA, (II) TO ADJUST THE EXAMINATION SCHEDULE TO BENEFIT STUDENTS OR TO ACCOMMODATE ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAMINATIONS, AND (III) TO ACCOMMODATE IMPLEMENTATION OF BLOCK SCHEDULES; AND TO ALLOW ANY WAIVERS GRANTED BY THE STATE BOARD OF

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EDUCATION FOR AN EDUCATIONAL PURPOSE TO BE EFFECTIVE SO LONG AS THE EDUCATIONAL PURPOSE EXISTS, and requests conferees.

Speaker Hackney has appointed:  
Representative Bell, Chair  
Representative Lucas  
Representative Yongue  
Representative Faison  
Representative Holliman  
Representative Brubaker, and  
Representative McGee

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### CALENDAR *(continued)*

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION, temporarily displaced earlier today.

Upon motion of Senator Kinnaird, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Albertson for the **Appropriations/Base Budget Committee**:

**H.B. 2438** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS

July 18, 2008

APPROPRIATIONS ACT OF 2008; TO MAKE CLARIFYING CHANGES TO THE NORTH CAROLINA HEALTH INSURANCE RISK POOL FUND; TO AUTHORIZE THE DEPARTMENT OF PUBLIC INSTRUCTION TO FUND ADDITIONAL PLANNING GRANTS FOR LEARN AND EARN AND EXPEND FUNDS TO INFORM EIGHTH AND NINTH GRADERS ABOUT OPPORTUNITIES FOR HIGHER EDUCATION PROGRAMS; TO MAINTAIN FIVE FLOODPLAIN MAPPING POSITIONS; TO ADJUST THE COMPENSATION OF THE CHIEF COURT OF APPEALS JUDGE TO CREATE AN EQUIVALENT PAY DIFFERENTIAL RELATIVE TO THE PAY OF THE CHIEF JUSTICE OF THE SUPREME COURT; TO AUTHORIZE WESTERN CAROLINA UNIVERSITY, UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE, AND MOUNTAIN AREA HEALTH EDUCATION CONSORTIUM TO EXPEND FUNDS FOR BUILDING THE NORTH CAROLINA CENTER FOR HEALTH AND AGING; AND TO PROVIDE THAT EAST CAROLINA UNIVERSITY, EDGECOMBE COMMUNITY COLLEGE, AND NASH COMMUNITY COLLEGE ADMINISTER JOINTLY THE NURSING AND ALLIED HEALTH PROGRAM HOUSED AT THE UNC UPPER COASTAL PLAIN HIGHER EDUCATION AND HEALTH CENTER, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 10505, which changes the title upon concurrence to read **H.B. 2438** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET, is adopted and engrossed.

Upon motion of Senator Rand, the rules are suspended and the Senate Committee Substitute bill is placed on the Calendar for immediate consideration.

*Without objection, Senator Clodfelter requests to be excused from voting on the Senate Committee Substitute bill due to a conflict of interest.*

The Senate Committee Substitute bill passes its second (20-15) and third readings and is ordered sent to the House of Representatives by special message for concurrence.

#### **CALENDAR** *(continued)*

**H.B. 2105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A

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NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION, temporarily displaced earlier today, as amended on second reading.

The Committee Substitute bill, as amended, passes its third reading (36-0) and is ordered sent to the House of Representatives for concurrence in Senate Amendments No. 1 and No. 2.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 132**, AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO INCREASE THE PENALTY IN CERTAIN CIRCUMSTANCES WHERE THERE IS A SOLICITATION BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT AND TO PROVIDE FOR CIVIL LIABILITY; TO MAKE IT A FELONY FOR A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE.

**S.B. 180**, AN ACT TO CLARIFY THAT CERTAIN SERVER-BASED ELECTRONIC GAME PROMOTIONS ARE PROHIBITED.

**S.B. 845**, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143-214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY

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OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**S.B. 1263**, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES

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OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4TH CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES.

**S.B. 1632**, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

**S.B. 1875**, AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES.

**S.B. 1878**, AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF

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THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION.

**S.B. 1925**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE.

**H.B. 685**, AN ACT TO ALLOW THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., TO RETAIN UNEXPENDED FUNDS FOR THE 2007-2008 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER.

**H.B. 1230**, AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS.

**H.B. 2397**, AN ACT TO AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**H.B. 2499**, AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

#### **CHAPTERED BILLS**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 2690**, AN ACT TO AUTHORIZE THE COUNTY OF DURHAM TO LEVY A ONE PERCENT SALES TAX ON RESTAURANT MEALS IN THE COUNTY OF DURHAM IF APPROVED BY THE VOTERS. (Became law upon ratification, July 18, 2008 - S.L. 2008-116.)

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**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill for H.B. 359 and requests conferees, Senator Rand announces the appointment of Senator Berger of Franklin, Chair, Senator Nesbitt and Senator Kinnaird as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Senate recesses at 2:22 P.M. to reconvene at 2:45 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 Goodall, Senator Jacumin, Senator Queen and Senator Tillman.*

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has dismissed conferees in the Senate Committee Substitute for **H.B. 2509**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 18, 2008

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House fails to concur in the Senate Committee Substitute for **H.B. 2542** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES AS RECOMMENDED BY THE HOUSE ETHICS COMMITTEE, and requests conferees.

Speaker Hackney has appointed:  
Representative Lucas, Chair  
Representative E. Warren  
Representative Wiley  
Representative Stam  
Representative Martin, and  
Representative McGee

on the part of the House to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

**DISMISSAL OF CONFEREES**

**H.B. 2509** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

Senator Clodfelter announces that the Senate Conferees appointed earlier today to resolve the differences in the Senate Committee Substitute bill are hereby dismissed.

July 18, 2008

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES.

Pursuant to the message from the House of Representatives received earlier today that the House fails to concur in the Senate Committee Substitute bill for H.B. 2542 and requests conferees, Senator Rand announces the appointment of Senator Clodfelter, Chair, Senator Rand and Senator Hartsell as conferees on the part of the Senate to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

**CONFERENCE REPORT**

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, submits for adoption the following report:

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 2542, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES, Senate Select Committee on Government and Election Reform Committee Substitute Adopted 7/16/08, submit the following report:

The House concurs in Senate Amendment #1, and the House and Senate agree to the following amendment to the Senate Committee Substitute:

- On page 12, line 31, by rewriting the line to read:
- "(5) A thing of value that is paid for by the State.
  - (6) A scholarship paid for by a nonpartisan state, regional, national, or international legislative organization of which the General Assembly is a member or a legislator or legislative employee is a member or participant of by virtue of that legislator's or legislative employee's public position, or to an affiliated organization of that nonpartisan state, regional, national, or international organization."

July 18, 2008

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

Date Conferees approved report: July 18, 2008.

*Conferees for the Senate*

S/Daniel G. Clodfelter, Chair  
S/Tony Rand  
S/Fletcher L. Hartsell, Jr.

*Conferees for the House of Representatives*

S/Marvin W. Lucas, Chair  
S/Edith D. Warren  
S/Laura I. Wiley  
S/Paul Stam  
S/Grier Martin  
S/William. C. McGee

Upon motion of Senator Clodfelter, the rules are suspended and the Conference Report is placed on today's Calendar for immediate consideration for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (30-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

*The Chair grants a leave of absence for the remainder of today's session to Senator Goss.*

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 2542** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

July 18, 2008

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1100**, AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY.

**S.B. 1407**, AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET.

**H.B. 2431**, AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS.

**H.B. 2105**, AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION.

**H.B. 2438**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET.

**H.B. 2509**, AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

**H.B. 2542**, AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES.

July 18, 2008

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

**S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY. (Res. 31)

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 18, 2008

Madame President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **H.B. 359** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE AMERICAN CITIZENSHIP EFFORTS BY ENCOURAGING VOTING BY ELIGIBLE HIGH SCHOOL STUDENTS.

When a similar action has been taken on the part of the Senate, we will order the bill enrolled.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Senator Rand offers a motion pursuant to **S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY (Res. 31), that the Senate adjourn *sine die*, seconded by all members of the Senate, which motion prevails, with unanimous consent.

The President orders a message sent to the House of Representatives informing the Honorable Body that the Senate stands ready to adjourn *sine die*.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

July 18, 2008

House of Representatives  
July 18, 2008

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 **S.J.R. 2172**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2007 REGULAR SESSION OF THE GENERAL ASSEMBLY.

Respectfully,  
S/Denise Weeks  
Principal Clerk

Pursuant to the receipt of a message that the House of Representatives has concluded the business before it and having notified that Honorable Body that the Senate has completed the business before it, the President declares that the Senate stands ready to adjourn *sine die*.

The President orders the doors of the Senate opened and the Speaker of the House of Representatives is perceived ready to let the gavel fall.

The motion heretofore offered by Senator Rand seconded by all members of the Senate having prevailed, the President of the Senate declares the Senate of the 2007 General Assembly adjourned at 4:50 P.M., *sine die*.

BEVERLY E. PERDUE  
*President of the Senate*

JANET B. PRUITT  
*Principal Clerk*

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July 18, 2008



**ONE HUNDRED FIFTY-FOURTH DAY**  
**2008 Session Reconvened**

Senate Chamber  
Wednesday, August 27, 2008

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 August 25, 2008, the Senate of the 2008 Session of the 2007 General Assembly reconvenes at the hour of 11:00 A.M. in the Senate Chamber in the City of Raleigh.

The Honorable Marc Basnight, President *Pro Tempore*, who presides in the absence of the Lieutenant Governor, calls the Senate to order.

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

"Dear God, it is always good to see the Senate family and all of us couldn't be more grateful for the beauty of this cloudy day and the steady rain falling across our State. You are a good and merciful God. This type of session always reminds me that Legislators and staff are sometimes like EMTs. They must stop whatever they are doing wherever they are and come to Raleigh to rescue or fix some unresolved legislation. Like EMTs, allow them to do their work today skillfully and expeditiously. Amen."

The Chair grants leaves of absence for today to Senator Berger of Franklin, Senator Dalton, Senator Dorsett, Senator Hagan, Senator Kerr and Senator Rand.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Friday, July 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

**PROCLAMATION FROM THE GOVERNOR**

The Honorable Marc Basnight, President *Pro Tempore*, instructs the Reading Clerk to read the Proclamation issued by Governor Michael F. Easley on August 25, 2008, as follows:

**PROCLAMATION OF RECONVENED SESSION**

Pursuant to the authority vested in the Governor by Article III, Section 5 (11) of the Constitution of North Carolina, and as required by Article II, Section 22 (7) the General Assembly shall reconvene on **Wednesday, August 27, 2008**, at **11:00 a.m.** to reconsider House Bill 2167, "An act to increase the width of boats that may be transported on highway routes during the day and night without a

August 27, 2008

permit and to provide for an annual permit as opposed to a single trip permit for oversized boats," which was vetoed on August 17, 2008.

Done in Raleigh, North Carolina, on August 25, 2008.

(Seal)

S/Michael F. Easley  
Governor

The Chair orders a special message sent to the House of Representatives informing that Honorable Body that the Senate is organized and is ready to proceed with the public business of the Senate.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
August 27, 2008

Madame President:

It is ordered that a message be sent to the Senate informing your Honorable Body that pursuant to the proclamation issued by Governor Michael F. Easley on August 25, 2008, reconvening the 2008 Session of the 2007 General Assembly to reconsider **H.B. 2167, A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS**, which was vetoed August 17, 2008, the House of Representatives is ready to proceed with public business.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

Ms. Janet Pruitt  
Principal Clerk of the Senate  
Room 2020  
State Legislative Building  
Raleigh, NC 27601

August 27, 2008

Dear Ms. Pruitt:

On August 17, 2008, Governor Easley vetoed HB 2167 "AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS". The bill was returned to the House of Representatives with the attached veto message.

Sincerely  
S/Denise G. Weeks  
Principal Clerk  
House of Representatives

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 MAIL SERVICE CENTER RALEIGH, NC 27699-0301**

MICHAEL F. EASLEY  
GOVERNOR

August 17, 2008

**GOVERNOR'S OBJECTIONS AND VETO MESSAGE**

*House bill 2167, "An act to increase the width of boats that may be transported on highway routes during the day and night without a permit and to provide for an annual permit as opposed to a single trip permit for oversize boats."*

House Bill 2167, allows extremely large boats as wide as 9-1/2 feet to be towed on any state road at anytime, including night time, any day of the week, without a permit as required by all other states from Texas to Virginia. This bill would also allow a blood alcohol level of .08, double that allowed by commercial vehicles of smaller size.

I sincerely believe that this bill puts families at a risk on the highways and would result in death or serious injury. North Carolina has 60,000 miles of narrow two lane roads that cannot accommodate the 9-1/2 foot width and maintains roughly 1,000 bridges 18-feet wide or less, which would require a 9-1/2 foot boat to cross the center line in violation of N.C.G.S. 20-146, and into oncoming traffic. Further, if two 9-1/2 foot boats were to meet on an 18-foot strip of road or bridge it would be physically impossible to escape a collision.

I am deeply concerned about 9-1/2 foot boats meeting a school bus. The buses travel primarily on rural roads and often in the dark during early morning and early evening hours.

August 27, 2008

I encourage the General Assembly to let boat haulers use the current law of permitting for the rest of this season and then have the legislature take up this issue in January when there is time to thoughtfully avoid the consequences of this bill.

Therefore, I veto the bill.

S/Michael F. Easley

*The bill, having been vetoed, is returned to the Clerk of the North Carolina House of Representatives on this 17th day of August 2008 at 8:45 A.M. for reconsideration by that body.*

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

AUG 17 PM 1:35



HOUSE BILL 2167  
RATIFIED BILL

AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-116 is amended by adding a new subsection to read:  
"§ 20-116. **Size of vehicles and loads.**

...  
(m) Notwithstanding subsection (a) of this section, a boat or boat trailer with an outside width of less than 120 inches may be towed without a permit. The towing of a boat or boat trailer 102 inches to 114 inches in width may take place on any day of the week, including weekends and holidays, and may take place at night. The towing of a boat or boat trailer 114 inches to 120 inches in width may take place on any day of the week, including weekends and holidays from sun up to sun down. A boat or boat trailer in excess of 102 inches but less than 120 inches must be equipped with a minimum of two operable amber lamps on the widest point of the boat and the boat trailer such that the dimensions of the boat and the boat trailer are clearly marked and visible.


**SECTION 2.** G.S. 20-119(g) reads as rewritten:  
"§ 20-119. **Special permits for vehicles of excessive size or weight; fees.**

...  
(g) The Department of Transportation shall issue annual overwidth permits for the following ~~vehicles~~

- (1) A vehicle carrying agricultural equipment or machinery from the dealer to the farm or from the farm to the dealer that ~~do~~ does not exceed 14 feet in width. ~~These permits shall be~~ A permit issued under this subdivision is valid for unlimited movement without escorts on all State highways where the overwidth ~~vehieles~~ ~~do~~ vehicle does not exceed posted bridge and load limits.
- (2) A boat or boat trailer whose outside width equals or exceeds 120 inches. A permit issued under this subdivision must restrict a vehicle's towing of the boat or boat trailer to daylight hours only.

August 27, 2008


SECTION 3. This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 17<sup>th</sup> day of July, 2008.

  
Beverly E. Perdue  
President of the Senate

  
Joe Hackney  
Speaker of the House of Representatives

Michael F. Easley  
Governor

~~\_\_\_\_\_~~ 10:45 am, this 17 day of ~~August~~, 2008

**VETO**  
Date  
  
Michael F. Easley  
Governor

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
August 27, 2008

Madame President:

It is ordered that a message be sent to the Senate informing your Honorable Body that the House of Representatives has passed **H.B. 2167** (Ratified Edition), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, notwithstanding the objections of the Governor. Pursuant to Article II, Section 22, of the North Carolina Constitution,

August 27, 2008

the bill together with the objections and veto message are hereby delivered to your Honorable Body for reconsideration.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Upon motion of Senator Basnight, the rules are suspended and **H.B. 2167** (Ratified), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS, is placed on the Calendar for immediate consideration to override the Governor's veto.

Senator Jones announces a pair vote. If Senator Berger of Franklin were present, he would vote "aye"; Senator Jones votes "no".

Senator Jenkins offers a motion that H.B. 2167 become law notwithstanding the objections of the Governor. The motion prevails (39-0) by a three-fifths majority of members present and voting, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Cowell, Dannelly, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Smith, Soles, Stevens, Swindell, Tillman and Weinstein---39.

Voting in the negative: None.

In accordance with Article II, Sec. 22 (1) of the North Carolina Constitution, HB 2167 becomes law notwithstanding the objections of the Governor at 11:39 A.M.

#### **SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2808**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

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

The joint resolution passes its second (38-0) and third readings and is ordered enrolled.

#### **ENROLLED BILLS AND RESOLUTIONS**

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

August 27, 2008

**H.J.R. 2808**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION. (Res. 32)

### CHAPTERED BILLS

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**H.B. 2167** (Ratified), A BILL TO BE ENTITLED AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS. (Became law after veto by the Governor overridden, August 27, 2008 - S.L. 2008-229.)

Senator Dannelly offers a motion pursuant to **H.J.R. 2808**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION. (Res. 32), that the Senate adjourn *sine die*, seconded by Senator Bingham, which motion prevails, with unanimous consent.

The Chair orders a message sent to the House of Representatives informing the Honorable Body that the Senate stands ready to adjourn *sine die*.

### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
August 27, 2008

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 pursuant to **H.J.R. 2808**, A JOINT RESOLUTION ADJOURNING THE RECONVENED SESSION.

Respectfully,  
S/Denise Weeks  
Principal Clerk

Pursuant to the receipt of a message that the House of Representatives has concluded the business before it and having notified that Honorable Body that the Senate has completed the business before it, the Chair declares that the Senate stands ready to adjourn *sine die*.

August 27, 2008

The motion heretofore offered by Senator Dannelly and seconded by Senator Bingham having prevailed, the Chair declares the Senate of the 2007 General Assembly sitting in reconvened session 2008 adjourned at 12:10 P.M., *sine die*.

BEVERLY E. PERDUE  
*President of the Senate*

JANET B. PRUITT  
*Principal Clerk*

August 27, 2008



**ADDENDUM**

**SENATE JOURNAL**

**2007 SESSION**

**SECOND SESSION**

**2008**



## EDITOR'S NOTES

A number of bills and resolutions passed second reading and were read a third time on the same day.

Rule 50 states:

No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two-thirds of the membership of the Senate present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) when a member moves that the Rule be suspended and this motion prevails by at least a two-thirds vote of the membership of the Senate present and voting, or
- (2) when the Chair determines that there is no objection from any member present, which constitutes unanimous consent that Rule 50 be suspended.

In these cases, the bill is read a third time and remains before the Senate for further consideration.

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The phrase "without objection" may appear throughout the Senate Journal. Upon a motion offered, this reflects a determination by the Chair that there is no objection from a member present, which constitutes unanimous consent, for the order of the Chair.

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When a bill passes its second reading and remains on the Calendar for further consideration, unless indicated otherwise the measure is placed on the Calendar for the next legislative day in its regular order of business.

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Rule 20(2) of the House of Representatives requires that "*all measures affecting a fee imposed by the State or any subdivision thereof*" are classified roll-call measures for the purpose of spreading the ayes and noes on the Journal. Though the Senate Rules do not require the same, the Rule of the House of Representatives is honored and the measures are considered as roll-call measures, unless ruled otherwise by the Presiding Officer.

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The Presiding Officer of the Senate rules in a number of instances that "*the bill does not require a call of the roll*" or "*requires a call of the roll.*" The ruling is made pursuant to the following citation which reads:

## North Carolina Constitution—Article II

*Sec. 23.—Revenue bills.* No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each house of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

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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 vote print-out 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.

Janet B. Pruitt  
*Principal Clerk*

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**CHAPTERED BILLS**

The following bills were properly enrolled, reviewed and approved by the Governor as indicated, assigned the following Chapter Numbers, and presented to the Office of the Secretary of State after the 2008 Regular Session adjourned on July 18:

**H.B. 933**, AN ACT TO PROVIDE THAT CERTAIN CRIMINAL OFFENSES OF RAPE OR SEXUAL OFFENSE COMMITTED AGAINST A CHILD ARE CLASS B1 FELONIES AND THE OFFENDER SHALL NOT RECEIVE ACTIVE PUNISHMENT OF LESS THAN THREE HUNDRED MONTHS FOLLOWED BY LIFETIME SATELLITE-BASED MONITORING OR THE POSSIBILITY OF LIFE IMPRISONMENT WITHOUT PAROLE, TO INCREASE THE CRIMINAL PENALTIES FOR SEXUAL EXPLOITATION OF A MINOR AND PROMOTING PROSTITUTION OF A MINOR, TO AMEND THE SEX OFFENDER REGISTRATION REQUIREMENTS TO BE MORE STRINGENT, TO REQUIRE COMMUNITY NOTIFICATION REGARDING THE PRESENCE OF A SEXUALLY VIOLENT PREDATOR OR REPEAT SEX OFFENDER, TO AMEND THE LAW REGARDING BAIL FOR VIOLATIONS OF PROBATION AND POST-RELEASE SUPERVISION, TO CREATE A NEW CRIMINAL OFFENSE THAT MAKES IT UNLAWFUL FOR A SEX OFFENDER TO BE ON CERTAIN PREMISES, TO ADDRESS EDUCATION AND HEALTH OF JUVENILES SUBJECT TO RESTRICTIONS, AND TO REQUIRE SEX OFFENDER REGISTRIES CHECKS OF SCHOOL CONTRACTUAL PERSONNEL BEFORE ALLOWING THEM TO HAVE DIRECT INTERACTION WITH STUDENTS. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-117.)

**H.B. 2438**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE STATE BUDGET. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-118.)

**S.B. 4**, AN ACT TO IMPROVE THE COLLECTION AND REPORTING OF RACE AND ETHNICITY DATA TO PUBLIC HEALTH OFFICIALS AND TO THE STATEWIDE DATA PROCESSOR. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-119.)

**S.B. 175**, AN ACT TO ENACT THE INTERSTATE WILDLIFE VIOLATOR COMPACT IN NORTH CAROLINA. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-120.)

**H.B. 93**, AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY ISSUES RELATING TO INDIVIDUALS BEING TRANSPORTED IN VEHICLES WHILE SEATED IN WHEELCHAIRS, AS RECOMMENDED BY THE NORTH CAROLINA

STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-121.)

**S.B. 180**, AN ACT TO CLARIFY THAT CERTAIN SERVER-BASED ELECTRONIC GAME PROMOTIONS ARE PROHIBITED. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-122.)

**H.B. 685**, AN ACT TO ALLOW THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., TO RETAIN UNEXPENDED FUNDS FOR THE 2007-2008 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-123.)

**H.B. 738**, AN ACT TO REQUIRE UNINSURED AND UNDERINSURED MOTORIST COVERAGE; MAKE TECHNICAL CHANGES TO INSURANCE FINANCIAL PROVISIONS; AMEND THE UNAUTHORIZED INSURER LAWS; MAKE TECHNICAL CHANGES TO THE RATE EVASION LAW TO CLARIFY THAT IT APPLIES ONLY TO PRIVATE PASSENGER VEHICLES AND TO ADD A TERMINATION RESTRICTION CONSISTENT WITH G.S. 58-37-50 TO CLARIFY THAT THE RATE EVASION LAW APPLIES TO CEDED AND UNCEDED POLICIES; REVISE MANAGED CARE AND HMO RECORD RETENTION LAWS; MAKE CHANGES TO THE HEALTH INSURANCE RISK POOL LAWS; STRENGTHEN PROFESSIONAL EMPLOYER ORGANIZATION PROTECTIONS; MAKE CHANGES TO THE LAW GOVERNING THE CODE OFFICIALS QUALIFICATION BOARD; PROHIBIT FREE INSURANCE; AND TO MAKE OTHER MISCELLANEOUS CHANGES. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-124.)

**H.B. 821**, AN ACT TO SPECIFY THOSE AREAS OUTSIDE OF THE STATE OF NORTH CAROLINA IN WHICH NOTICES RELATED TO A PROPOSED INTERBASIN TRANSFER OF WATER SHALL BE GIVEN AND TO PROVIDE FOR A STUDY BY THE ENVIRONMENTAL REVIEW COMMISSION OF THE DELINEATION OF MAJOR RIVER BASINS AND SUBBASINS WITHIN THIS STATE AS A PART OF THE ONGOING STUDY OF THE ALLOCATION OF WATER RESOURCES BY THE COMMISSION. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-125.)

**S.B. 212**, AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PARKS AND RECREATION PROGRAMS OF LOCAL GOVERNMENTS. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-126.)

**H.B. 964**, AN ACT TO EXPAND THE DEFINITION OF HOME CARE SERVICES TO INCLUDE IN-HOME COMPANION, SITTING, AND RESPITE CARE SERVICES PROVIDED TO AN INDIVIDUAL AND TO

INCREASE THE ANNUAL LICENSE FEE FOR HOME CARE AGENCIES. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-127.)

**S.B. 944**, AN ACT TO MAKE LEAVING THE SCENE OF AN ACCIDENT WHERE A PERSON SUFFERS SERIOUS BODILY INJURY A CLASS F FELONY AND TO PROVIDE THAT THEFT OF FIXTURES ATTACHED TO REAL PROPERTY IS LARCENY. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-128.)

**H.B. 1003**, AN ACT TO PROVIDE THAT THE COURT MAY CONSIDER A DEFENDANT'S PRIOR WILLFUL FAILURES TO COMPLY WITH CONDITIONS OF RELEASE WHEN PLACED ON SUPERVISED PROBATION, PAROLE, OR POST-RELEASE SUPERVISION AS AN AGGRAVATING FACTOR AND TO PROVIDE THAT A COURT MAY EXTEND OR MODIFY. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-129.)

**S.B. 2117**, AN ACT TO MAKE CERTAIN CLARIFYING CHANGES TO THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, TO CLARIFY THE REQUIREMENTS OF MEMBERSHIP ON THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND THE LAWS REQUIRING A PASSING SCORE ON AN ORAL EXAMINATION THEREBY AFFECTING FEES CHARGED BY THE BOARD UNDER THE LAWS REGULATING SUBSTANCE ABUSE PROFESSIONALS. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-130.)

**S.B. 1770**, AN ACT TO REQUIRE ALL DEATHS OCCURRING IN CERTAIN STATE FACILITIES BE REPORTED, TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE THESE DEATHS, AND TO STUDY DEATH REPORTING REQUIREMENTS. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-131.)

**H.B. 2728**, AN ACT TO CONSOLIDATE THE BOARD OF TRUSTEES FOR THE NORTH CAROLINA 401(K) PLAN AND THE BOARD OF TRUSTEES OF THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN INTO THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES, AND CONCERNING COMPENSATION OF EMPLOYEES IN THE INVESTMENT DIVISION. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-132.)

**H.B. 1624**, AN ACT TO LIMIT THE FREQUENCY OF PAROLE REVIEWS FOR INMATES CONVICTED OF MURDER. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-133.)

**S.B. 1704**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-134.)

**H.B. 1076**, AN ACT TO WAIVE FEES AS WELL AS TUITION FOR CERTAIN PERSONS ATTENDING CLASSES AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA OR AT A COMMUNITY COLLEGE. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-135.)

**H.B. 1134**, AN ACT TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT BY ENCOURAGING COUNTIES TO DEVELOP PLANS THAT PROVIDE FOR THE DECONSTRUCTION OF ABANDONED MANUFACTURED HOMES AND THE REMOVAL OF REUSABLE OR RECYCLABLE COMPONENTS, BY PROVIDING FOR THE ABATEMENT OF ABANDONED MANUFACTURED HOMES THAT ARE DETERMINED TO BE A NUISANCE, AND TO DESIGNATE THAT A PORTION OF THE SOLID WASTE MANAGEMENT TRUST FUND BE USED TO FUND THE DECONSTRUCTION AND REMOVAL OF ABANDONED MANUFACTURED HOMES. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-136.)

**S.B. 1046**, AN ACT TO STUDY THE IMPACTS ON THE STATE OF NORTH CAROLINA OF THE POTENTIAL ISSUANCE OF A FIFTY-YEAR LICENSE BY THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE OPERATION OF THE YADKIN HYDROELECTRIC PROJECT. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-137.)

**H.B. 1549**, AN ACT TO AMEND THE PROCESS OF APPOINTMENTS TO THE NORTH CAROLINA AUCTIONEERS COMMISSION. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-138.)

**H.B. 1284**, AN ACT TO PROVIDE THAT A CAUSE OF ACTION AGAINST A LOCAL GOVERNMENT ARISING OUT OF A CONTRACT TO IMPROVE REAL PROPERTY OTHERWISE BARRED BY THE STATUTE OF LIMITATIONS MAY BE COMMENCED NO LATER THAN NINETY DAYS AFTER SUBSTANTIAL COMPLETION OF THE CONSTRUCTION. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-139.)

**S.B. 1259**, AN ACT TO PROVIDE THAT WATER SUPPLIED BY A PUBLIC WATER SYSTEM REGULATED UNDER THE NORTH CAROLINA DRINKING WATER ACT IS NOT SUBJECT TO CERTAIN WARRANTIES. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-140.)

**S.B. 1340**, AN ACT TO PROVIDE FOR THE SALE OF BLOCKS OF 10 TEN-DAY COASTAL RECREATIONAL FISHING LICENSES. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-141.)

**S.B. 1100**, AN ACT TO ALLOW THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO EXPEND FUNDS TO COVER FUNERAL EXPENSES FOR MEMBERS OF THE STATE HIGHWAY PATROL KILLED IN THE LINE OF DUTY, AND TO STUDY THE PAYMENT OF FUNERAL EXPENSES FOR STATE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY. (Became law upon approval of the Governor, July 28, 2008 - S.L. 2008-142.)

**H.B. 2499**, AN ACT TO IMPROVE DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 31, 2008 - S.L. 2008-143.)

**S.B. 1852**, AN ACT TO RESOLVE PROBLEMS WITH APPLYING PROPERTY TAX TO HEAVY EQUIPMENT RENTED ON A SHORT-TERM BASIS BY REPLACING THE PROPERTY TAX ON THIS EQUIPMENT WITH A TAX ON THE GROSS RECEIPTS FROM RENTING THE EQUIPMENT. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-144.)

**S.B. 1957**, AN ACT TO MODIFY THE TERRITORIAL JURISDICTION OF THE NORTH CAROLINA GENERAL ASSEMBLY SPECIAL POLICE THROUGHOUT THE STATE WHEN CONDUCTING OFFICIAL BUSINESS FOR THE PURPOSE OF PERFORMING ADVANCES AND PROTECTIVE DUTIES FOR MEMBERS, AND PROTECTIVE DUTIES AT SPECIAL SESSIONS, COMMITTEE MEETINGS, COMMISSION HEARINGS, AND STATE, REGIONAL, OR NATIONAL LEGISLATIVE CONFERENCES. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-145.)

**S.B. 1878**, AN ACT TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY, TO CLASSIFY LOW-INCOME HOUSING PROPERTY, TO EXCLUDE FROM PROPERTY TAX PRESCRIPTION DRUGS GIVEN AS FREE SAMPLES, TO EXCLUDE FROM PROPERTY TAX EIGHTY PERCENT OF THE APPRAISED VALUE OF A SOLAR ELECTRIC SYSTEM, AND TO DIRECT THE REVENUE



LAWS STUDY COMMITTEE TO STUDY THE EFFECT THAT THIS ACT HAS ON STAFFING NEEDS OF THE DEPARTMENT OF REVENUE AND THE DEFINITION OF INCOME AS IT APPLIES TO THE HOMESTEAD EXCLUSION. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-146.)

**S.B. 2075**, AN ACT TO CLARIFY QUALIFICATIONS FOR THE EXCEPTION FOR MULTI JURISDICTIONAL INDUSTRIAL PARKS TIER DESIGNATION AND TO PROVIDE FOR A TEMPORARY INCREASE IN THE CAP ON AMOUNTS COMMITTED UNDER THE JOB DEVELOPMENT INVESTMENT GRANT PROGRAM. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-147.)

**S.B. 1716**, AN ACT TO CLARIFY THE DISTRIBUTION OF SUPPLEMENTAL PEG SUPPORT FUNDING AND TO CLARIFY THAT THE SERVICE AREA OF A CITY INCLUDES ANY AREA SUBSEQUENTLY ANNEXED BY THAT CITY. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-148.)

**S.B. 1681**, AN ACT TO REQUIRE STATE-CONTROLLED PASSENGER-CARRYING VEHICLES TO BE SMOKE-FREE; AND TO AUTHORIZE LOCAL GOVERNMENTS TO REQUIRE LOCAL GOVERNMENT-CONTROLLED VEHICLES TO BE SMOKE-FREE, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-149.)

**S.B. 1263**, AN ACT TO ESTABLISH THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE; TO CLARIFY THE NEW ELECTION STATUTE AS IT APPLIES TO MULTISEAT RACES; TO REAUTHORIZE THE PILOT PROGRAM FOR INSTANT RUNOFF VOTING; TO AMEND THE STATUTE CONCERNING NOTICE OF AN ELECTION-PROTEST ORDER AND THE TIMING OF APPEAL; TO CLARIFY THE MEANING OF THE TERM "ELECTION" FOR PURPOSES OF THE THIRTY-DAY RESIDENCE REQUIREMENT FOR VOTING; TO RESPOND TO THE DECISION OF THE 4<sup>TH</sup> CIRCUIT U.S. COURT OF APPEALS IN NORTH CAROLINA RIGHT TO LIFE V. LEAKE; TO REPLACE THE TWENTY-ONE-DAY CONTRIBUTION EMBARGO IN THE JUDICIAL PUBLIC CAMPAIGN PROGRAM WITH AN EXPEDITED RELEASE OF MATCHING FUNDS; TO EXEMPT CERTAIN SALES OF GOODS OR SERVICES BY POLITICAL PARTY EXECUTIVE COMMITTEES FROM CERTAIN CONTRIBUTION REQUIREMENTS; TO REQUIRE ALL TREASURERS TO REPORT ACCORDING TO THE MUNICIPAL CAMPAIGN REPORTING SCHEDULE IF THEIR CANDIDATES OR COMMITTEES PARTICIPATE IN MUNICIPAL ELECTIONS; TO PROHIBIT COMMINGLING OF CAMPAIGN FUNDS; TO

REQUIRE THAT NEW-PARTY CANDIDATES BE REGISTERED WITH THE PARTY; TO AMEND THE REPORTING REQUIREMENT FOR MATCHING FUNDS IN PUBLIC FINANCING PROGRAMS; TO LIMIT THE PROHIBITION IN THE ELECTIONEERING COMMUNICATIONS STATUTES; AND TO REQUIRE FORTY-EIGHT-HOUR REPORTS FOR ANY CONTRIBUTION OF LATE CONTRIBUTIONS OF MORE THAN ONE THOUSAND DOLLARS, REGARDLESS OF THE SOURCE; AND TO MAKE RELATED CHANGES. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-150.)

**S.B. 963**, AN ACT RELATING TO THE HOURS OF LABOR AND OVERTIME COMPENSATION OF MEMBERS OF MUNICIPAL FIRE DEPARTMENTS. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-151.)

**S.B. 1885**, AN ACT TO PROMOTE COMPENSATORY MITIGATION BY PRIVATE MITIGATION BANKS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-152.)

**S.B. 1651**, AN ACT TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO LOWER THE MINIMUM AGE FOR DONATING BLOOD FROM SEVENTEEN TO SIXTEEN. (Became law upon approval of the Governor, August 2, 2008 - S.L. 2008-153.)

**H.B. 2509**, AN ACT TO AUTHORIZE A SEMIANNUAL SALES AND USE TAX REFUND TO A NONPROFIT ORGANIZATION THAT PROCURES, DESIGNS, CONSTRUCTS, OR PROVIDES FACILITIES TO A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-154.)

**H.B. 2496**, AN ACT TO AUTHORIZE THE ADDITION OF BEAR PAW STATE NATURAL AREA AND YELLOW MOUNTAIN STATE NATURAL AREA TO THE STATE PARKS SYSTEM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-155.)

**S.B. 1800**, AN ACT TO AMEND THE DEFINITIONS OF "HAZARDOUS MATERIALS" AND "STATE" UNDER NORTH CAROLINA'S MOTOR VEHICLE LAWS IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO ALLOW CERTAIN NATURAL GAS UTILITY EMPLOYEES AND CONTRACTORS TO USE ALL-TERRAIN

VEHICLES ON PUBLIC HIGHWAYS WHILE ACTING IN THE COURSE AND SCOPE OF THEIR EMPLOYMENT; AND TO AMEND THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSE LAW GOVERNING THE LOCATION OF ADDITIONAL OR RELOCATED NEW MOTOR VEHICLE DEALERS. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-156.)

**S.B. 741**, AN ACT TO AMEND THE LAW GOVERNING ADVANCE PAYMENTS BY NONPROFIT ORGANIZATIONS AND INDIAN TRIBES. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-157.)

**S.B. 1407**, AN ACT TO PROTECT CUSTOMERS WHEN PURCHASING TICKETS VIA THE INTERNET AND TO PROHIBIT THE USE OF SOFTWARE TO UNFAIRLY PURCHASE TICKETS OVER THE INTERNET. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-158.)

**H.B. 1230**, AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF SPECIAL ONE-TIME PERMITS TO NONPROFIT ORGANIZATIONS. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-159.)

**H.B. 2570**, AN ACT TO AUTHORIZE THE MOVEMENT OF TRAILER FRAMES NOT EXCEEDING FOURTEEN FEET IN WIDTH TO ANOTHER LOCATION NO FARTHER THAN THREE MILES AWAY FROM THE POINT OF ORIGIN FOR CONTINUED MANUFACTURING OF THE TRANSFER TRAILER WITH AN ANNUAL PERMIT. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-160.)

**HB 2410**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, AND DIVISION OF MEDICAL ASSISTANCE, TO STUDY IMPLEMENTATION OF AN INCOME DISREGARD POLICY FOR CURRENT STATE/COUNTY SPECIAL ASSISTANCE AND MEDICAID RECIPIENTS WHO ARE ADVERSELY IMPACTED DUE TO COST OF LIVING OR OTHER INCOME INCREASES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-161.)

**H.B. 2432**, AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR

GENERAL. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-162.)

**H.B. 1563**, AN ACT TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO FIRE AND RESCUE INSTRUCTORS WHO ARE OTHERWISE ELIGIBLE FOR THESE BENEFITS BUT WHO ARE NOT CURRENTLY COVERED WHILE CONDUCTING FIRE AND RESCUE TRAINING OUTSIDE THEIR OWN DEPARTMENTS. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-163.)

**H.B. 2318**, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PRIVATE PARTNERSHIP AGREEMENTS FOR CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-164.)

**H.B. 1770**, AN ACT TO CLARIFY THE AUTHORITY OF THE PARTIES TO CONSERVATION AND PRESERVATION AGREEMENTS TO INCLUDE PROVISIONS IN THE AGREEMENTS FOR THE PAYMENT OF FEES UPON FUTURE CONVEYANCE OF PROPERTY SUBJECT TO THE AGREEMENTS AND TO ALLOW SPECIAL ASSESSMENTS TO BE PAID IN MORE THAN TEN ANNUAL INSTALLMENTS AND TO BE PLEDGED TO THE REPAYMENT OF REVENUE BONDS ISSUED FOR CRITICAL INFRASTRUCTURE NEEDS. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-165.)

**H.B. 2409**, AN ACT TO REQUIRE MULTIUNIT ASSISTED HOUSING WITH SERVICES (MAHS) PROGRAMS TO REGISTER ANNUALLY WITH THE DIVISION OF HEALTH SERVICE REGULATION AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH CERTAIN FEES, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-166.)

**H.B. 887**, AN ACT TO CLARIFY AND EXPAND THE CRIMINAL OFFENSE OF STALKING. (Became law upon approval of the Governor, August 3, 2008 - S.L. 2008-167.)

**H.B. 2443**, AN ACT TO REWRITE GENERAL STATUTE PROVISIONS PERTAINING TO HEALTH AND LONG-TERM CARE BENEFITS FOR TEACHERS, STATE EMPLOYEES, RETIRED STATE EMPLOYEES, AND THEIR ELIGIBLE DEPENDENTS. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-168.)

**H.B. 2492**, AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY, BASED ON RECOMMENDATIONS BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-169.)

**H.B. 1113**, AN ACT TO LIMIT THE USE OF THE PUBLIC DUTY DOCTRINE AS AN AFFIRMATIVE DEFENSE FOR CLAIMS UNDER THE STATE TORT CLAIMS ACT IN WHICH THE INJURIES OF THE CLAIMANT ARE THE RESULT OF THE ALLEGED NEGLIGENT FAILURE OF CERTAIN PARTIES TO PROTECT CLAIMANTS FROM THE ACTION OF OTHERS. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-170.)

**H.B. 1889**, AN ACT TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND, TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT, AND TO PROVIDE A PROPERTY TAX EXEMPTION FOR LEASEHOLD INTEREST IN CERTAIN EXEMPTED PROPERTY. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-171.)

**H.B. 2265**, AN ACT TO EXEMPT BUSES FROM SAFETY INSPECTIONS REQUIRED UNDER MOTOR VEHICLE LAWS IF THEY ARE TITLED TO A LOCAL BOARD OF EDUCATION AND SUBJECT TO SCHOOL BUS INSPECTION REQUIREMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-172.)

**H.B. 2105**, AN ACT TO INCREASE THE COMPENSATION PROVIDED TO PERSONS ERRONEOUSLY CONVICTED OF FELONIES WHO HAVE RECEIVED PARDONS OF INNOCENCE; TO REQUIRE THE INDUSTRIAL COMMISSION TO ANNUALLY ADJUST THE COMPENSATION TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS; AND TO ALLOW THE INDUSTRIAL COMMISSION TO AWARD ADDITIONAL COMPENSATION OF JOB SKILLS TRAINING AND EXPENSES FOR TUITION AND FEES AT A NORTH CAROLINA COMMUNITY COLLEGE OR CONSTITUENT INSTITUTION. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-173.)

**H.B. 2306**, AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DETERMINE RESPONSIBILITY FOR CHILDREN WITH DISABILITIES PLACED IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT

FACILITIES BY PUBLIC AGENCIES OTHER THAN LOCAL EDUCATIONAL AGENCIES. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-174.)

**H.B. 2308**, AN ACT TO AMEND THE LAWS GOVERNING COMMERCIAL DRIVERS LICENSES IN ORDER TO COMPLY WITH FEDERAL LAW, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-175.)

**H.B. 2313**, AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-176.)

**H.B. 2353**, AN ACT TO AUTHORIZE THE LICENSURE OF IRRIGATION CONTRACTORS AND TO ADD TWO MORE LEGISLATIVE APPOINTMENTS TO THE NORTH CAROLINA APPRAISAL BOARD. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-177.)

**H.B. 2341**, AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS AND SPONSORING ORGANIZATIONS OF CHILD SAFETY SEAT EDUCATIONAL AND CHECKING PROGRAMS WHEN TECHNICIANS AND SPONSORING ORGANIZATIONS ARE ACTING IN GOOD FAITH AND CHILD SAFETY SEAT INSPECTIONS, INSTALLATION, ADJUSTMENT, OR EDUCATION PROGRAMS ARE PROVIDED WITHOUT FEE OR CHARGE, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-178.)

**H.B. 2338**, AN ACT TO REQUIRE HOSPITALS AND PHYSICIANS TO REPORT SERIOUS, NON-ACCIDENTAL TRAUMA INJURIES IN CHILDREN TO LAW ENFORCEMENT OFFICIALS, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-179.)

**H.B. 2314**, MAKE CHANGES TO THE STATUTES GOVERNING VOLUNTARY LOCAL GOVERNMENT FINANCIAL PARTICIPATION IN DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, AND TO EXPAND THE AUTHORITY OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO LOCATE AND ACQUIRE RIGHT-OF-WAY FOR THE LOCATION, ABOVE OR BELOW

GROUND, OF FIBER-OPTIC CABLE. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-180.)

**H.B. 2431**, PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-181.)

**H.B. 2391**, AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO CONSIDER RECOMMENDATIONS FROM THE CLERK OF COURT IN DETERMINING WHETHER TO REVOKE THE DRIVERS LICENSE OF A PERSON ADJUDICATED INCOMPETENT UNDER THE GUARDIANSHIP LAWS, AS RECOMMENDED BY THE STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-182.)

**H.B. 2397**, AUTHORIZE THE NORTH CAROLINA STATE BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO OBTAIN CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS FOR LICENSURE AS NURSING HOME ADMINISTRATORS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, August 4, 2008 - S.L. 2008-183.)

**S.B. 1796**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE SPECIAL ASSISTANCE PROGRAM. (Became law upon approval of the Governor, August 6, 2008 - S.L. 2008-184.)

**S.B. 1541**, AN ACT TO ENACT THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN. (Became law upon approval of the Governor, August 7, 2008 - S.L. 2008-185.)

**H.B. 2785**, AN ACT TO ALLOW THE STATE TO ACQUIRE LOCKS AND DAMS ONE, TWO, AND THREE ON THE CAPE FEAR RIVER FROM THE UNITED STATES. (Became law upon approval of the Governor, August 7, 2008 - S.L. 2008-186.)

**S.B. 1632**, AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS REQUESTED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. (Became law upon approval of the Governor, August 7, 2008 - S.L. 2008-187.)

**S.B. 1627**, AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM. (Became law upon approval of the Governor, August 7, 2008 - S.L. 2008-188.)

**S.B. 1214**, AN ACT TO AMEND THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS. (Became law upon approval of the Governor, August 7, 2008 - S.L. 2008-189.)

**S.B. 1787**, AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING VEHICLE REGISTRATION AND INSPECTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-190.)

**S.B. 1860**, AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISDEMEANOR CHILD ABUSE AND TO AMEND THE CRIMINAL OFFENSE OF FELONY CHILD ABUSE AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-191.)

**S.B. 2015**, AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA SCHOOL OF THE ARTS TO THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-192.)

**S.B. 2056**, AN ACT TO PROVIDE LOCAL GOVERNMENTS WITH AN EXEMPTION FROM ADVANCING COURT FEES IN CHILD SUPPORT ACTIONS, CHILD ABUSE ACTIONS, AND OTHER ACTIONS FILED BY THE DEPARTMENT OF SOCIAL SERVICES. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-193.)

**H.B. 545**, AN ACT TO: (1) PROVIDE THE HOUSING FINANCE AGENCY TWO ADDITIONAL POWERS CONCERNING REAL PROPERTY AND SERVICES RETAINED FOR ISSUANCE OF BONDS; (2) AUTHORIZE A ONETIME BULK UPDATE OF REGISTERED AGENT INFORMATION; (3) AMEND THE LIST OF ENTITIES INCLUDED AS "ESTABLISHED LEGAL SERVICES PROGRAMS" TO WHICH THE NORTH CAROLINA STATE BAR MAY ALLOCATE FUNDS UNDER THE ACCESS TO CIVIL JUSTICE ACT AND THE DOMESTIC VIOLENCE ASSISTANCE ACT; (4) VALIDATE CERTAIN NOTARIAL ACTS FILED IN THE MECKLENBURG COUNTY REGISTER OF DEEDS OFFICE; (5) VALIDATE CERTAIN NOTARIAL ACTS PERFORMED ON OR BEFORE MAY 1, 2008; (6) MAKE A TECHNICAL CHANGE TO THE NAME OF THE NORTH CAROLINA STATE ART SOCIETY; (7) MAKE VARIOUS CHANGES RELATED TO THE VERIFICATION, RECORDATION, AND INDEXING OF DOCUMENTS PRESENTED TO REGISTERS OF DEEDS; (8) CLARIFY



SCOPE OF AUTHORITY TO IMPOSE SANCTIONS IN MEDIATED SETTLEMENT CONFERENCES; (9) PROVIDE AN EXTENSION OF TIME FOR THE REALIGNMENT OF BUDGETS WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION; (10) AUTHORIZE INCREASED DORMITORY CAPACITY IN CERTAIN COUNTY DETENTION FACILITIES; AND (11) AUTHORIZE THE STATE TREASURER TO DISCLOSE THE NAMES AND ADDRESSES OF RETIRED STATE AND LOCAL EMPLOYEES TO CERTAIN ORGANIZATIONS. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-194.)

**H.B. 2498**, AN ACT (1) TO PROVIDE ADDITIONAL FUNDS FOR THE ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS BY INCREASING THE FEES PAID BY OWNERS AND OPERATORS OF COMMERCIAL UNDERGROUND STORAGE TANKS; (2) TO ESTABLISH LIMITATIONS ON THE TIME IN WHICH: THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MUST MAKE AN ELIGIBILITY DETERMINATION, REQUESTS FOR PAYMENT OR REIMBURSEMENT MAY BE SUBMITTED TO THE DEPARTMENT, AND THE DEPARTMENT MAY TAKE ADMINISTRATIVE ACTION OR BRING A CIVIL ACTION TO RECOVER PAYMENTS THAT WERE NOT AUTHORIZED BY LAW, THAT WERE MADE ON THE BASIS OF FRAUDULENT INFORMATION, OR FOR OTHER REASONS; (3) TO CLARIFY FINANCIAL RESPONSIBILITY REQUIREMENTS; (4) TO REDUCE THE INCIDENCE OF LEAKS BY REQUIRING SECONDARY CONTAINMENT FOR ALL COMPONENTS OF REGULATED PETROLEUM UNDERGROUND STORAGE TANK SYSTEMS; (5) TO CLARIFY REQUIREMENTS FOR REGISTRATION OF COMMERCIAL TANKS; (6) TO PROVIDE FOR EXPEDITED ASSESSMENT AND CLEANUP OF RELEASES AND DISCHARGES FROM PETROLEUM UNDERGROUND STORAGE TANKS BY REQUIRING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A PILOT PROGRAM TO EVALUATE THE USE OF SITE-SPECIFIC CLEANUP STANDARDS; (7) TO PROVIDE FOR RECLASSIFICATION OF A SITE TO A LOWER RISK CLASSIFICATION; AND (8) TO PROVIDE FOR VARIOUS STUDIES AND REPORTS AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-195.)

**S.B. 1652**, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE GENERAL STATUTES TO CLARIFY LEGISLATIVE CONFIDENTIALITY OF PROGRAM EVALUATION DIVISION DOCUMENTS. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-196.)

**S.B. 685**, AN ACT TO PROHIBIT THE PLACING OF A BURNING CROSS ON ANY PUBLIC PLACE; TO RAISE THE PENALTY FOR BURNING A

CROSS WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WITH THE INTENT TO INTIMIDATE; TO RAISE THE PENALTY FOR PLACING AN EXHIBIT WHILE WEARING A MASK, HOOD, OR OTHER DISGUISE; TO CLARIFY THAT THE TERM "EXHIBIT" INCLUDES OBJECTS SUCH AS NOOSES; TO RAISE THE PENALTY FOR OFFENSE COMMITTED BECAUSE OF VICTIM'S BACKGROUND; TO STUDY THE IMPACT OF RECENT CROSS BURNINGS AND NOOSE HANGINGS ACROSS THE STATE; AND TO MAKE RECOMMENDATIONS FOR MODIFICATION TO THE CRIMINAL LAWS OF THE STATE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-197.)

**S.B. 845**, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) PROVIDE THAT PRIVATE DRINKING WATER WELLS ARE TO BE TESTED FOR CERTAIN ADDITIONAL PARAMETERS; (2) AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT RULES GOVERNING EUTHANASIA OF ANIMALS; (3) RENAME THE BLUE CRAB RESEARCH PROGRAM THE BLUE CRAB AND SHELLFISH RESEARCH PROGRAM; (4) CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION OR ANY OTHER UNIT OF GOVERNMENT SHALL MAKE OYSTER SHELLS AVAILABLE TO THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES WITHOUT REMUNERATION; (5) SPECIFY THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY NOT BEGIN THE PROCEDURE TO ADOPT A TEMPORARY OR PERMANENT RULE THAT GOVERNS THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES PURSUANT TO SUBDIVISIONS (1) AND (3) OF G.S. 143-214.7(B) PRIOR TO 1 OCTOBER 2011, SPECIFY THAT ANY SUCH ADDITIONAL RULES SHALL NOT BECOME EFFECTIVE PRIOR TO 1 OCTOBER 2013, AND SPECIFY THAT RULES ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION PURSUANT TO ANY OTHER STATE STATUTORY AUTHORITY THAT GOVERN THE MANAGEMENT OF STORMWATER RUNOFF IN THE COASTAL COUNTIES SHALL NOT BECOME EFFECTIVE IN THE COASTAL COUNTIES PRIOR TO 1 OCTOBER 2011; (6) CLARIFY THE PROCEDURE FOR RECORDATION OF RESTRICTIONS AND PROTECTIVE COVENANTS THAT SPECIFY CERTAIN COASTAL STORMWATER MANAGEMENT REQUIREMENTS; (7) PROVIDE THAT A PERSON WHO BECOMES THE OWNER OR OPERATOR OF A COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANK MAY PAY, UNDER PROTEST, UNPAID ANNUAL OPERATING FEES THAT WERE THE OBLIGATION OF A PREVIOUS OWNER OR OPERATOR FOR THE PURPOSE OF OBTAINING AN OPERATING PERMIT FOR THE UNDERGROUND STORAGE TANKS, REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DILIGENTLY SEEK

TO COLLECT UNPAID FEES FROM THE PERSON WHO WAS ORIGINALLY RESPONSIBLE FOR PAYMENT, AND PROVIDE THAT A PERSON WHO PAYS FEES UNDER PROTEST MAY BE REIMBURSED TO THE EXTENT THAT THE FEES ARE COLLECTED FROM ANOTHER PERSON; (8) IMPROVE WATER QUALITY AND PROMOTE GROUNDWATER RECHARGE IN AREAS OF THE STATE THAT ARE NOT SUBJECT TO THE STORMWATER MANAGEMENT REQUIREMENTS OF CERTAIN WATER QUALITY PROGRAMS BY REQUIRING EITHER THAT NO MORE THAN EIGHTY PERCENT OF CERTAIN AREAS USED FOR VEHICULAR PARKING BE IMPERVIOUS OR, IN THE ALTERNATIVE, THAT RUNOFF FROM AT LEAST TWENTY PERCENT OF CERTAIN IMPERVIOUS VEHICULAR PARKING AREAS FLOW TO BIORETENTION AREAS; (9) DECLARE THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AGGRESSIVELY COMPEL PERSONS WHO ARE RESPONSIBLE FOR CONTAMINATION OF GROUNDWATER THAT RESULTS IN CONTAMINATION OF DRINKING WATER TO ASSESS AND REMEDIATE THE GROUNDWATER CONTAMINATION AS REQUIRED BY LAW; (10) CONSOLIDATE CERTAIN ENVIRONMENTAL REPORTING REQUIREMENTS; AND (11) TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CORRECTIONS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-198.)

**S.B. 1955**, AN ACT TO PROVIDE FOR THE LIMITED RELEASE OF CERTAIN PRISONERS INTO THE CUSTODY OF IMMIGRATION OFFICIALS FOR REMOVAL. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-199.)

**S.B. 1766**, AN ACT TO PROVIDE LIABILITY PROTECTION FOR PRIVATE ASSOCIATIONS, PRIVATE CORPORATIONS, AND PRIVATE NONPROFIT ENTITIES AND ORGANIZATIONS WHEN RESPONDING TO IN-STATE INCIDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON GOVERNMENTAL IMMUNITY AND THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-200.)

**S.B. 1797**, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF TIRE RETREAD PROCESSES, AS RECOMMENDED BY THE COMMITTEE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-201.)

**S.B. 1799**, AN ACT TO AUTHORIZE THE DEPARTMENT OF JUSTICE TO PROVIDE TO THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION THE CRIMINAL HISTORY OF APPLICANTS AND EMPLOYEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO AUTHORIZE THE USE OF BLACK-AND-WHITE PHOTOGRAPHS OF LICENSE HOLDERS ON DRIVERS LICENSES; AND TO AUTHORIZE ALTERNATE MAIL DELIVERY OF DRIVERS LICENSES FOR APPLICANTS WHO ARE INELIGIBLE FOR RESIDENTIAL POSTAL SERVICE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-202.)

**S.B. 1946**, AN ACT TO CODIFY THE STANDARDS GOVERNING ENERGY EFFICIENCY AND WATER USE FOR MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS INVOLVING STATE, UNIVERSITY, AND COMMUNITY COLLEGE BUILDINGS IN ORDER TO REDUCE THE CONSUMPTION OF ENERGY AND WATER, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO ALLOW THE STATE, THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AND THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO INSTALL PHOTO LUMINESCENT EXIT SIGNS WHEN PERMITTED BY THE STATE BUILDING CODE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-203.)

**S.B. 1925**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA; TO REVISE UNIVERSITY GENERAL OBLIGATION INDEBTEDNESS; TO ALLOW THE UNIVERSITY OF NORTH CAROLINA TO CREATE AN AIRPORT AUTHORITY TO SUPPORT THE MISSION OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL OR THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM; TO AUTHORIZE THE STATE EDUCATION ASSISTANCE AUTHORITY TO SET THE INTEREST RATE FOR THREE SCHOLARSHIP LOAN PROGRAMS AT A RATE NOT TO EXCEED TEN PERCENT PER ANNUM; AND TO MODIFY THE RESPONSIBILITIES OF THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE. (Became law upon approval of the Governor, August 8, 2008 - S.L. 2008-204.)

**H.B. 2768**, AN ACT TO AMEND THE LAW PROHIBITING HUNTING AND FISHING ON PRIVATE PROPERTY IN ORANGE COUNTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE, TO INCREASE THE FEES COLLECTED FROM PARTICIPANTS IN THE DISABLED SPORTSMAN PROGRAM ADMINISTERED BY THE WILDLIFE RESOURCES COMMISSION, AND TO PROVIDE THAT

HOLDERS OF HUNTING AND FISHING LICENSES ISSUED TO THE DISABLED ARE ELIGIBLE TO PARTICIPATE IN THE DISABLED SPORTSMAN PROGRAM. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-205.)

**H.B. 2558**, AN ACT TO REQUIRE LICENSED HOME INSPECTORS TO OBTAIN A PRIVILEGE LICENSE. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-206.)

**H.B. 2530**, AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE SOLID WASTE DISPOSAL TAX AND TO ALLOW A REFUND FOR ALL UNSALABLE OTHER TOBACCO PRODUCTS. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-207.)

**H.B. 819**, AN ACT TO AMEND THE REQUIREMENTS GOVERNING MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT, TO PROVIDE FOR MANAGEMENT OF DISCARDED TELEVISIONS, TO DELAY THE EFFECTIVE DATE UNTIL 1 JANUARY 2010, AND TO MAKE OTHER CONFORMING AND TECHNICAL CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-208.)

**H.B. 15**, AN ACT TO PROVIDE THAT TEACHERS ARE NOT PENALIZED FOR TAKING PERSONAL LEAVE TIME UNDER CERTAIN CIRCUMSTANCES. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-209.)

**S.B. 2081**, AN ACT TO REQUIRE REPORTING OF INVOLUNTARY MENTAL COMMITMENT TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AND TO PROVIDE FOR A RESTORATION PROCESS TO REMOVE THE COMMITMENT BAR TO THE PURCHASE, POSSESSION, AND TRANSFER OF FIREARMS. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-210.)

**S.B. 1967**, AN ACT TO PROVIDE FOR IMPROVEMENTS IN THE MANAGEMENT OF STORMWATER IN THE COASTAL COUNTIES IN ORDER TO PROTECT WATER QUALITY. (Became law upon approval of the Governor, August 9, 2008 - S.L. 2008-211.)

**S.B. 847**, AN ACT TO ADD AGRICULTURAL WORKERS TO THOSE PROTECTED AGAINST RETALIATION IN THE WORKPLACE AND TO DIRECT THE PESTICIDE BOARD TO ADOPT RULES REQUIRING LICENSED PESTICIDE APPLICATORS TO RECORD THE SPECIFIC TIME OF DAY WHEN EACH PESTICIDE APPLICATION IS COMPLETED, AS RECOMMENDED BY THE GOVERNOR'S TASK FORCE ON

PREVENTING AGRICULTURAL PESTICIDE EXPOSURE. (Became law upon approval of the Governor, August 11, 2008 - S.L. 2008-212.)

**H.B. 2542**, AN ACT TO MAKE CLARIFYING CHANGES TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS AND TO MAKE OTHER CONFORMING CHANGES. (Became law upon approval of the Governor, August 15, 2008 - S.L. 2008-213.)

**H.B. 274**, AN ACT TO CREATE ADDITIONAL OFFENSES, PENALTIES, AND CRIMINAL PROCEDURE FOR PERSONS INVOLVED IN STREET GANG ACTIVITY AND TO BE ENTITLED THE "NORTH CAROLINA STREET GANG SUPPRESSION ACT." (Became law upon approval of the Governor, August 15, 2008 - S.L. 2008-214.)

**S.B. 1875**, AN ACT TO RECODIFY THE STATE AUDITOR'S HOTLINE AUTHORITY, TO CLARIFY THE AUTHORITY OF THE STATE ETHICS COMMISSION WITH REGARDS TO REFERRALS FROM THE STATE AUDITOR, AND TO MAKE OTHER CONFORMING CHANGES. (Became law upon approval of the Governor, August 15, 2008 - S.L. 2008-215.)

**H.B. 2340**, AN ACT TO INCREASE THE PROTECTION OF CHILDREN WHO RIDE IN THE BACK OF PICKUP TRUCKS OR OPEN BEDS OF VEHICLES BY RAISING THE MINIMUM AGE, REMOVING THE EXEMPTION THAT MAKES ALLOWANCE FOR SMALL COUNTIES, AND MODIFYING THE EXEMPTION THAT MAKES AN ALLOWANCE FOR AGRICULTURAL ENTERPRISES, AND INCREASE THE PENALTIES. (Became law upon approval of the Governor, August 16, 2008 - S.L. 2008-216.)

**H.B. 2487**, AN ACT TO CHANGE THE FORMAT OF A DRIVERS LICENSE OR SPECIAL IDENTIFICATION CARD BEING ISSUED TO A PERSON LESS THAN TWENTY-ONE YEARS OF AGE FROM A HORIZONTAL FORMAT TO A VERTICAL FORMAT TO MAKE RECOGNITION OF UNDERAGE PERSONS MORE EASY FOR CLERKS DEALING IN RESTRICTED AGE SALES OF PRODUCTS SUCH AS ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. (Became law upon approval of the Governor, August 16, 2008 - S.L. 2008-217.)

**S.B. 132**, AN ACT TO EXPAND THE SCOPE OF CERTAIN PORNOGRAPHY LAWS BY AMENDING THE DEFINITION OF SEXUAL ACTIVITY; TO INCREASE THE PENALTY FOR FIRST, SECOND, AND THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR; TO INCREASE THE PENALTY IN CERTAIN CIRCUMSTANCES WHERE THERE IS A SOLICITATION BY COMPUTER TO COMMIT AN UNLAWFUL SEX ACT AND TO PROVIDE FOR CIVIL LIABILITY; TO MAKE IT A FELONY FOR

A REGISTERED SEX OFFENDER TO ACCESS A COMMERCIAL SOCIAL NETWORKING WEB SITE; AND TO PROHIBIT A REGISTERED SEX OFFENDER FROM OBTAINING A NAME CHANGE. (Became law upon approval of the Governor, August 16, 2008 - S.L. 2008-218.)

**S.B. 1924**, AN ACT TO AUTHORIZE THE NORTH CAROLINA BUILDING CODE COUNCIL TO STUDY AND ADOPT PROVISIONS IN THE BUILDING CODE PERTAINING TO THE INSTALLATION OF CARBON MONOXIDE DETECTORS IN CERTAIN SINGLE-FAMILY OR MULTIFAMILY DWELLINGS; TO REQUIRE THE INSTALLATION OF OPERATIONAL CARBON MONOXIDE DETECTORS IN CERTAIN RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR MUTUAL OBLIGATIONS BETWEEN LANDLORDS AND TENANTS REGARDING THE INSTALLATION AND UPKEEP OF CARBON MONOXIDE DETECTORS; AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE. (Became law upon approval of the Governor, August 16, 2008 - S.L. 2008-219.)

**S.B. 1736**, AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF SCREENING ONLINE USERS, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS. (Became law upon approval of the Governor, August 16, 2008 - S.L. 2008-220.)

**S.B. 1695**, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS RELATED TO DRIVERS LICENSES, REGISTRATION PLATES ISSUED TO FARM VEHICLES, AND VEHICLE SIZE AND WEIGHT LIMITATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-221.)

**S.B. 1339**, AN ACT TO REQUIRE SUPPLIERS THAT IMPORT GASOLINE FOR SALE IN THIS STATE TO OFFER GASOLINE FOR SALE TO A DISTRIBUTOR OR RETAILER THAT IS NOT PREBLENDED WITH FUEL ALCOHOL AND THAT IS SUITABLE FOR SUBSEQUENT BLENDING WITH FUEL ALCOHOL AND TO PROVIDE THAT CONTRACT PROVISIONS THAT RESTRICT OR PREVENT DISTRIBUTORS OR RETAILERS FROM BLENDING GASOLINE AND FUEL ALCOHOL ARE VOID. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-222.)

**S.B. 942**, AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM ENACTING ORDINANCES THAT WOULD RESTRICT DISTRIBUTION OF NEWSPAPERS. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-223.)

**S.B. 1314**, AN ACT AMENDING THE LAWS UNDER THE NORTH CAROLINA MASSAGE AND BODYWORK THERAPY PRACTICE ACT TO EXPAND THE EXISTING LAWS REGULATING MASSAGE AND BODYWORK THERAPY SCHOOLS; TO AUTHORIZE THE BOARD TO ESTABLISH FEES FOR LICENSING MASSAGE AND BODYWORK THERAPY SCHOOLS; AND TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE TO PRACTICE MASSAGE AND BODYWORK THERAPY. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-224.)

**S.B. 1697**, AN ACT TO PROVIDE FOR THE ENFORCEMENT OF TOLLS ON TURNPIKE PROJECTS OF THE NORTH CAROLINA TURNPIKE AUTHORITY, TO MODIFY LAWS APPLICABLE TO THE NORTH CAROLINA TURNPIKE AUTHORITY, AND TO CLARIFY THE AUTHORIZATION MADE IN A PRIOR LAW TO TOLL AN EXISTING SEGMENT OF N.C. 540. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-225.)

**H.B. 2623**, AN ACT TO CREATE AN EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES AND TO AUTHORIZE THE COMMISSIONER OF BANKS TO USE FUNDS FOR HOME FORECLOSURE PREVENTION. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-226.)

**H.B. 2188**, AN ACT TO REQUIRE THAT ANY FEE INCURRED BY A HOME LOAN SERVICER BE CLEARLY AND CONSPICUOUSLY EXPLAINED TO THE BORROWER WITHIN THIRTY DAYS AFTER THE FEE IS ASSESSED, TO CLARIFY THAT THE SERVICER IS NOT REQUIRED TO SEND A STATEMENT TO THE BORROWER UNDER



CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A SERVICER IS NOT REQUIRED TO PROVIDE NOTIFICATION TO THE BORROWER IF A PARTIAL PAYMENT IS ACCEPTED AND CREDITED IN ACCORDANCE WITH A WRITTEN AGREEMENT, TO MAKE CONFORMING CHANGES IN THE DEFINITION OF HIGH COST HOME LOANS, AND TO ADD TO THE LIST OF PROHIBITED ACTS UNDER THE MORTGAGE LENDING ACT. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-227.)

**H.B. 2463**, AN ACT TO REGULATE MORTGAGE SERVICING; TO REQUIRE MORTGAGE SERVICER LICENSURE UNDER THE MORTGAGE LENDING ACT; AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE MORTGAGE LENDING ACT. (Became law upon approval of the Governor, August 17, 2008 - S.L. 2008-228.)

**H.B. 2167**, AN ACT TO INCREASE THE WIDTH OF BOATS THAT MAY BE TRANSPORTED ON HIGHWAY ROUTES DURING THE DAY AND NIGHT WITHOUT A PERMIT AND TO PROVIDE FOR AN ANNUAL PERMIT AS OPPOSED TO A SINGLE TRIP PERMIT FOR OVERSIZE BOATS. (Became law after veto by the Governor overridden, August 27, 2008 - S.L. 2008-229.)

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**BILLS REMAINING IN SENATE COMMITTEES  
2007 SESSION  
SECOND SESSION 2008**

The following bills and resolutions remain in Senate Committees after adjournment *sine die* on July 18, 2008, to be transferred to the Division of Archives and History of the Department of Cultural Resources upon adjournment *sine die* of the 2007 General Assembly. Some of these bills may be included in other ratified bills or identical Senate or House bills are ratified.

**AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES**

S	172	Add Agribusiness Council to Agricultural Committees/ Bds.
S	190	Hazardous Materials Task Force Recommendations.
S	362	ATV Exemptions on Beaches/Coastal Areas.
S	387	Adopt State Collard Festival.
S	541	Interconnection of Public Water Systems.
S	555	Harnett County Construction.
S	603	Nutrient Runoff/Extend Rule Sunset Date.
S	634	North Carolina GREEN Act.
S	679	Consolidate Environmental Reg. Commissions.
S	815	Seafood and Aquaculture Commission.
S	840	Amend Plant Protection and Conservation Act.-AB
S	853	Disapprove Animal And Vermin Control Rule.
S	1360	Amend Interbasin Transfer Law.
S	1380	Wildlife Resources/Proclamation Authority.-AB
S	1385	Env'al. Justice in Solid Waste Landfill Siting.
S	1389	Add Marine Fisheries Commission Members.
S	1554	Underground Storage Tank Program Amends 2007.
S	1879	Drought/Water Management Recommendations.
S	1926	Electronics Recycling Amends/Add TVs.
S	1933	Amend Environmental Laws 2008.
S	1934	Amend Environmental Reporting Requirements 2008.
S	1937	Facilitate Use of Reclaimed Water.
S	1938	Environmental Technical Corrections 2008.
S	1997	Revise River Basin Advisory Commission.
S	2104	Poultry Worker Protection/Funds.

**APPROPRIATIONS/BASE BUDGET**

H	9	School Capital Fund Formula/Lottery Proceeds.
H	92	Medicaid Income Limits Level Study.
H	116	Tissue Bank Accreditation.
H	197	Special Assistance In-Home Assign.
H	205	Modify Out-of-State Tuition Exemption.
H	403	Consultation Required for SPA Class. Changes.
H	461	Lottery Advertising Compliance Act.
H	517	Fleeing Accident Scene/Increase Penalty.

**APPROPRIATIONS/BASE BUDGET** (continued)

H	629	N.C. Center for Nursing/Clarify Governance.-AB
H	716	Joint Legislative Budget Oversight Comm.
H	1036	Amend Allocation of TVA Payment.
H	1325	Northeast Commission - Per Diem/Mileage.
H	1443	Amend Medicaid Estate Recovery Plan.
H	1654	Funds/Full-Time Position/DMH/Comm. MH/DD/SA.
H	2439	Extend Continuing Budget Authority.
S	2	Lottery School Capital Fund Formula.
S	5	Methadone Distribution/2nd Degree Murder.
S	24	Funds/Chronic Disease Prevention and Control.
S	25	Funds for Statewide Health Promotion.
S	26	Funds for Healthy Carolinians.
S	31	DV Appropriations.
S	35	Add Step to Teacher Salary Schedule.
S	40	TANF Block Grant Funds/Boys & Girls Club.
S	41	Richmond Comm. Coll. Scotland Center Project.
S	42	Justus-Warren Task Force Recommendations.
S	47	Lottery Proceeds Do Not Supplant School Funds.
S	48	Lenoir County Arts Funds.
S	49	Ammonia Refrigeration Program/Sampson Comm. Coll.
S	51	Funds for Housing Options for Mentally Ill.
S	52	Special Care Pop. Dentistry Funds and Study.
S	53	Senior Center Funds.
S	58	Special Assistance In-Home Assign.
S	59	Home & Community Care Block Grant Funds.
S	71	State Retirees Health Benefits Trust Funds.
S	73	Increase Fire and Rescue Pensions.
S	75	Funds for Specialty Crops Program.
S	76	Rose Hill Community Memorial Library Funds.
S	77	Warsaw Veterans Celebration Funds.
S	79	Hunters for the Hungry Funds.
S	81	Funds to Address Infant Deaths.
S	86	Charter Schools Get Lottery Funds.
S	96	Military Family Assistance Centers/Funds.
S	98	Legislative Salary Adjustments.
S	99	WIN A STEP UP Funds.
S	100	Funds for Johnson & Wales.
S	105	Counties May Fund Charter Schools.
S	108	Funds for Adult Protect. Services Pilot Prog.
S	109	Health Care Personnel Registry/Funds.
S	110	Medicaid Income Limits Level Study.
S	112	E-NC Connectivity Incentives Funds.
S	113	Trenton Sewer Funds.
S	117	DHHS Allocation Formula/Indep. Study.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	120	Fund Only One School System Per County.
S	123	Division TEACCH Program Funds.
S	128	Funds for High-Cost Comm. College Programs.
S	129	Funds for Healthy Start Foundation.
S	130	Funds for BEGINNINGS, Inc.
S	131	District 26 ADA Funds.
S	135	Funds for the School Connectivity Initiative.
S	136	Franklin Square Gallery Elevator Funds.
S	137	Bolton Senior & Youth Center Funds.
S	138	Brunswick County Exposition Center Funds.
S	139	Columbus County Magistrate Funds.
S	140	Columbus County Aging/Adult Services Bldg. Funds.
S	141	Topsail Beach/Beach Renourishment Funds.
S	142	Columbus County Cultural Arts Center Funds.
S	147	Fair Bluff Park and Information Center Funds.
S	151	Public Laws.
S	165	Project C.A.R.E for Dementia Funds.
S	170	Gateway Gardens Funds.
S	171	Raise Compulsory School Attendance Age.
S	173	Swine Farm Env. Performance Standards/Funds.
S	174	Apportioning of Court System Personnel.
S	176	Medicaid/Title V Elig. Changes.
S	179	Actions to Address Medicaid Fraud.
S	186	13th District Assist. DA Funds.
S	187	Equine Industry Study Funds.
S	198	International Civil Rights Museum.
S	199	Accessible Electronic Information Act/Blind/Disabled.
S	200	Charlotte Hawkins Brown Museum Funds.
S	204	New Fire Truck for Boone/Funds.
S	213	Phase Out Medicaid County Share.
S	218	Advanced Vehicle Research Ctr./Funds.
S	219	Advanced Vehicle Research Ctr./Funds.
S	222	Armed Robbery/Apparent Firearms.
S	228	Marine Technology Research Vessel Funds.
S	230	Resource Conservation & Dev. Councils Funds.
S	246	Increase Community College Faculty Salaries.
S	247	Funds for Nursing Scholars Program.
S	248	Funds for Special Olympics.
S	249	Public Health Funds/Aid to Counties.
S	250	T.E.A.C.H. Funds.
S	251	Smart Start Funds.
S	252	State Ports Authority Funds.
S	262	Malachi House Funds.
S	263	Weatherspoon Art Museum Funds.
S	264	Wise Guys Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	265	Leadership Connections Funds.
S	266	NC A&T Visual/Performing Arts Funds.
S	267	John Coltrane Music Hall Funds.
S	268	Guilford Native American Cultural Funds.
S	270	Northwest Walking Trail Funds.
S	271	Cerro Gordo Town Hall Funds.
S	272	ASU Land Acquisition Funds.
S	273	Sylvan-Heights Waterfowl Park Funds.
S	275	Weldon-Halifax Comm. Ctr. Funds.
S	276	Enhance National Guard Pension Fund.
S	277	Appropriations Act of 2007.
S	278	2007 Appropriations Act.
S	280	Agribusiness Education Campaign Funds.
S	286	Increase Funds for SPICE.
S	287	Greensboro Natural Science Center Funds.
S	288	Funds for Piedmont Triad Crime Lab.
S	291	UNCW Teaching Lab Building Funds.
S	292	UNCW Summer Teacher Ed. Pilot Funds.
S	296	Military Death/In-State Tuition/Dependent.
S	302	Rotary Planetarium & Science Center Funds.
S	303	Anson County Library Bookmobile Funds.
S	304	Lockhart-Taylor Center/Food Program Funds.
S	305	Funds/Breast & Cervical Cancer Control Pgm.
S	306	Food Bank Funds.
S	307	RLUAC Program Funding.
S	309	5th Senatorial District Local Act-2.
S	315	Louise Wells Cameron Art Museum Funds.
S	316	Transforming Lives Funds.
S	317	Tillery Concerned Citizens Funds.
S	324	African American Cultural Center Funds.
S	325	Red Springs & Northern Railroad Funds.
S	326	Fairmont Community Center Funds.
S	327	Red Springs Historical Museum Funds.
S	328	Historic Robeson Funds.
S	334	Fair Housing Act Amendment.
S	343	Parkton Historical Foundation Funds.
S	344	Robeson Little Theatre Funds.
S	345	Robeson County Humane Society Funds.
S	346	Carolina Civic Center Funds.
S	348	Expansion of Drug/Alcohol Treatment/Funds.
S	352	Trust Fund for State Retiree Health Benefits.
S	365	Lumberton Northeast Park Funds.
S	366	Robeson County Public Library Funds.
S	367	Raeford-Hoke Museum Funds.
S	368	North Carolina Turkey Festival Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	372	Bladen Emergency Service Training Ctr. Funds.
S	379	Funds for N.C. Literacy Connection Program.
S	380	ASU/College of Education Academic Building.
S	388	Pitt County Senior Center Funds.
S	390	NCSU Agricultural Leadership Funds.
S	391	Agricultural Education Funds.
S	392	N.C. Military Research Center Funds.
S	393	Felony/Steal Or Cut Another's Timber.
S	395	Kids Voting Funds.
S	397	Increase Boating and Waterways Access Funding.
S	399	Funds for Nursing Accreditation.
S	400	Funds for Public Health Incubators.
S	401	Women's Health Services Funds.
S	406	New Foreign Lang. in Schools/Pilot Program.
S	407	Pembroke Recreation Center Funds.
S	408	Funds for Forsyth Emerging Tech. Center.
S	409	Single Sisters House Funds.
S	410	Funds for SciWorks of Forsyth County.
S	411	Center for Design Innovation Funding.
S	415	Coastal Events Center Funds.
S	419	Ayden Community Center Funds.
S	420	Edgecombe Sheriff Funds.
S	421	Edgecombe Youth Funds.
S	422	Edgecombe School Suspension Funds.
S	423	Edgecombe Development Center Funds.
S	424	State Capitol Funds.
S	425	Senator Bob Martin Eastern Ag. Ctr. Funds.
S	428	N.C. Comm. Dev. Initiative/Funds.
S	431	Triad Stage Funds.
S	433	Blue Ridge CC Applied Tech. Funds.
S	435	Broughton Hospital CT Scanner Funds.
S	452	Aid to Public Libraries.
S	453	WSSU-Recruit & Retain Graduate Students/Funds.
S	454	N.C. School of Arts/Library Construction Funds.
S	455	N.C. School of Arts/Equipment Funds.
S	456	School of Arts/Storage Facility Plan. Funds.
S	457	WSSU Student Activities Center Funds.
S	458	Surry CC Viticulture & Enology Center Funds.
S	459	Housing Trust Fund Appropriation.
S	467	New Hanover NarTest System Funds.
S	469	Additional Resources/Low-Performing Schools.
S	470	Drivers License Fix Expir./8-Year To 65.
S	472	MLK Park Funds.
S	474	Reduce Perinatal Mortality and Disease.
S	475	Funds for Rural Hospital Operations/Maint.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	476	Funds to Expand Defib. Pilot/Study.
S	485	Premarital Counseling Pilot Funds.
S	486	Funds for Traumatic Brain Injury Services.
S	494	Rhema Educational Services Funds.
S	495	Lottery Emergency School Repairs/Renovations.
S	497	Gates HS Roof Funds.
S	498	Families Supporting Families Funds.
S	500	Domestic Violence Offender Program Funds.
S	501	Hobgood Citizens Group Funds.
S	502	Wilson Tech. Comm. Coll. Capital Funds.
S	503	Nash CC Tarmac Site Funds.
S	504	Communities in Schools Funds.
S	506	Central Park Funds.
S	507	South Davidson Family Resource Center Funds.
S	508	Morehead City 150th Celebration Funds.
S	512	Regional Value-Added Processing Center Funds.
S	518	Lottery Act Changes.
S	520	Funds/Birth Defects Monitoring.
S	521	Funds/Adolesc. Pregnancy Prevention.
S	522	Statewide Poison Control Center Funds.
S	523	School-Based Health Centers/Funds.
S	529	State Health Plan/County Particip.
S	534	Additional Funds for School Nurses.
S	537	CIAA Funds.
S	538	Additional DSSF Funding for Schools.
S	550	Arthritis Foundation Funds.
S	553	SciTech Summer Technology Funds.
S	554	Funds/Autism Early Intervention.
S	557	NCSU Funds/Williamsdale Farm & Ag. Programs.
S	564	Edgecombe Business/Indust. Incubator Funds.
S	565	Funds for School of Nanotechnology.
S	566	21st Century Farmers' Market Program Funds.
S	577	Local Government Funding Agreements.
S	578	26th Judicial District Funds.
S	584	Prosecutorial District 20A Funds.
S	585	Funds for Community Health Centers.
S	586	Tort Claims Limit Increased.
S	587	Funds/Wake County Hospice Facility.
S	589	Capital Funds for Certain Charter Schools.
S	592	Cumberland County Senior Center Funds.
S	594	Housing Funds/Needy Persons.
S	596	UNCC Energy Prod/Infrastructure Center Funds.
S	597	Mecklenburg Juvenile Detention Funds.
S	598	African-American Summit Funds.
S	600	Inter-Faith Food Shuttle Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	601	Exploris Museum Funds.
S	602	Tammy Lynn Center Funds.
S	615	Preservation North Carolina Funds.
S	619	District 20B Court Personnel.
S	621	Small Towns Prosperity Program/ Funds.
S	622	Rural Economic Developmt. Center/Funds.
S	623	N.C. Minority Support Center Funds.
S	625	Lake Gaston Noxious Weed Control Funds.
S	628	Penland School of Crafts Funds.
S	637	FFA Center Funds.
S	638	Friends of Agriculture and FFA Funds.
S	639	Ag. Curriculum Development Coordinator Funds.
S	640	WOW e-CDC Pilot Program Funds.
S	653	NCNG Heroes Act of 2007-2008.
S	655	N.C. Arts Council Funds.
S	656	Carrboro ArtsCenter Funds.
S	663	Increase Home Care Rates, Quality & Retention.
S	665	Funds for Renovation of School Buildings.
S	669	Public Defender District 29B.
S	671	Funds for Eat Smart...Move More Initiative.
S	672	Funds/From This Day Forward Outdoor Drama.
S	676	Establish State Govt. Pay Equity Study Comm.
S	682	Child Nutrition Program Funds.
S	686	Pretrial Services Funds.
S	687	Funds for TASC.
S	688	Funds for Juvenile Crime Prevention Councils.
S	689	Social Security Increase/Medicaid Eligibility.
S	697	Drug Treatment Court Funds.
S	698	Travel Allowance for Appellate Judges.
S	705	Ashe Forestry Headquarters Funds.
S	706	Funds/Rural Health Recruitment.
S	707	TANF Funds/Adolescent Pregnancy Prevention.
S	711	Funds for Drag Strip Racing Track.
S	713	Institute of Medicine Funds.
S	714	Piedmont Triad Research Park Funds.
S	715	Funds/Wake Forest Institute.
S	718	Training Annex for James Sprunt Comm. Coll.
S	722	One N.C. Small Business Program/Funds.
S	723	Infrastructure Inventory Funds.
S	724	Require "Clean Scan" Prevention Software.
S	729	District 19A Investigatorial Assistant Funds.
S	732	District 19A Assist. DA Funds.
S	734	Rutherford Welcome Center/Farmers Market Funds.
S	739	School Technology Initiative Funds.
S	742	No Penalty for Teachers Taking Personal Leave.



**APPROPRIATIONS/BASE BUDGET (continued)**

S	746	Historic Cemetery Preservation Funds.
S	750	Restore Funding for Assistant Principals.
S	752	ACH Star Rating Authorization/Funds.
S	754	Funds for Area Agencies on Aging.
S	755	Child Care Subsidy Funds.
S	756	E.E. Waddell Community Ctr. Funds.
S	757	N.C. Center for Nursing/Clarify Governance.-AB
S	763	Funds to Support School Science Competitions.
S	765	The Governor's Budget 2007.
S	769	Funds for Kannapolis Research Center.
S	771	Appalachian Cultural Museum Funds.
S	774	Cleveland Correctional Dormitory Funds.
S	775	Isothermal Community College Funds.
S	776	WCU Feasibility Study/Funds.
S	781	Silk Hope Comm. Ctr. Funds.
S	782	District 14 Court Personnel/Funds.
S	783	Reconstruction Funds I-40/No Equity Fund.
S	786	WATCH Program Funds.
S	787	Farmville/Greene County Water Funds.
S	789	Speeding to Elude Arrest/Aggravating Factors.
S	791	Edgecombe County Crossing at 64 Funds.
S	792	Eastern Science Center Funds.
S	794	Eliminate Transfer of Funds for Driver Ed.
S	797	NCSU Veterinary School Funds.
S	798	Design-Build Construction/Transportation.-AB
S	799	DCR/Graveyard of Atlantic/Funds.
S	800	Funds for Community Health Education Center.
S	802	Guilford Technical Aviation Center Funds.
S	803	Free Online Live Homework Help Program.
S	804	Contractual Drug/Alcohol Treatment Funds.
S	805	Funds/Public Health Dental Services.
S	809	Gateway Summer Camp Funds.
S	810	Teacher Assistant Scholarship Fund.-AB
S	813	Land Loss Prevention Project/Funds.
S	820	Sentencing Services Funds.
S	822	Our Children's Place Funds.
S	825	Down Home Documentary Funds.
S	826	Henderson Land Purchase Funds.
S	827	Embassy Square Project Funds.
S	828	District 9C District Court Judge Funds.
S	829	Mountain Island Educational State Forest Funds.
S	832	Halifax Fire Pump Funds.
S	833	Tourism Investment Grants.
S	837	District 22 Family Court Funds.
S	843	Establish the Biofuels Center of N.C./Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	848	Funds for Children's Discovery Center.
S	851	District 19A District Court Judge Funds.
S	858	Campbell Folk School Funds.
S	859	NarTest Systems Funds.
S	860	State Controller Web Site/State Award Info.
S	861	Funds for PTA Parental Involvement Initiative.
S	863	Child Welfare Collaborative Funds.
S	865	Water Resources Grant Funds.-AB
S	873	Interact/YWCA Building Renovation Funds.
S	883	Sentencing Services Funds.
S	885	Funds for Juvenile Placement.
S	887	Divide Prosecutorial District 11.
S	890	Chatham Co. Council on Aging/Funds.
S	891	Independent Coll. & Univ./NC LIVE Funds.
S	893	Salary Schedule Rate Increase/"M" Teachers.
S	894	Bereavement Leave/State and School Employees.
S	898	Funds for Spouse-to-Teacher Program.
S	899	Funds for the Schools Attuned Program.
S	902	Regional Partnership Vision Plan Funds.
S	903	Wilkes Community College Capital Funds.
S	906	Yancey County Senior Center Funds.
S	907	Funds for the A+ Schools Program.
S	908	South Toe Fire & Rescue Funds.
S	909	North Carolina 4-H Funds.
S	910	Assn. for Health Care Access.
S	911	Asheville-Buncombe Technical CC Funds.
S	912	WNC Agriculture Center Funds.
S	913	Funds for Rhododendron Allied Health Center.
S	916	Funds for First Step Farm.
S	917	Funds for Needle Exchange Programs.
S	920	Administrative Funds/Teaching Fellows Prog.
S	921	Fully Fund Teaching Fellows Scholarships.
S	922	Funds for the Teacher Cadet Program.
S	923	Funds for International Studies Project.
S	926	Study Deconstruction of Inactive Dams/Funds.
S	929	Community Action Agencies Funds.
S	936	Establish a State Education Data Warehouse.
S	937	Yancey Public Library Funds.
S	938	Greensboro Symphony Society Funds.
S	939	State Energy Office Funds.
S	941	Unclaimed Property Program/Funds.
S	943	Southern Music Tourism Facility Funds.
S	945	American Legion Baseball World Series Funds.
S	952	Mediator Certification Funds.
S	953	Self-Serve Center Funds.

**APPROPRIATIONS/BASE BUDGET (continued)**

S	956	Judicial Branch Salary Funds.
S	958	Rural Physicians Incentive Funds.
S	960	Expand Access to the Courts.
S	961	W.B. Wicker Auditorium Funds.
S	962	Transportation Corridor Study Funds.
S	964	Prairie Ridge Ecostation Funds.
S	965	First Flight Venture Center Funds.
S	967	N.C. Organic Economic Opportunities Study.
S	973	Funds for Historical Senate Portraits.
S	974	Community Economic Development Funds.
S	979	Amend Family Resource Ctr. Grant Program Laws.-AB
S	983	Health Disparities Initiatives.
S	984	Funds for Diabetes Education.
S	985	Funds for Diabetes Prevention.
S	986	Funds for SIDS Efforts.
S	987	Funds for Interpreter Services.
S	988	Illegal Immigrants Tax Collection Enforcement.
S	991	Domestic Violence Center Funds.
S	992	Funds/HIV-AIDS Outreach Clinic.
S	993	Funds/Central Children's Home.
S	994	Franklin/Women's Shelter Funds.
S	998	Revise School Transportation Funding Formula.
S	1005	Safe Haven Funds.
S	1008	TAs in Special Ed. Classes/Personal Leave.
S	1011	Volunteer Rescue Grants & Fund Allocations.
S	1013	Initiatives to Reduce Medicaid Costs.
S	1014	Local Flexibility Regarding Teacher Pay.
S	1015	DMV to Open Drivers License Office.
S	1016	North Carolina Museum of Forestry Funds.
S	1017	Entrepreneurship Funds.
S	1025	OSA/Add Performance Audit Positions.-AB
S	1027	Boone Water Funds.
S	1028	Road to New Watauga Co. High School.
S	1029	Alexander/Wilkes Entrepreneurial Funds.
S	1034	Pigeon Valley Farmland Preservation Funds.
S	1037	Preserve Western Courthouses/Funds.
S	1038	Carolina Theatre/Spruce Pine Funds.
S	1039	Folkmoot USA Funds.
S	1042	Authorize Medicaid HMO.
S	1043	Child Residential Treatment/Room and Board.
S	1044	Funds for the State's Aquariums.
S	1045	Welcome Center/Funds.
S	1048	State Venture Capital Fund.
S	1050	UNC Research Campus at Kannapolis/Funds.
S	1052	Comm.-Based Information & Tech System/3 Counties.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1053	District 9 Victim Witness Assist. Funds.
S	1054	GAP Funding for Toll Road Construction.
S	1056	Increase State Contractual Scholarship Fund.
S	1057	NCSU/Small Business Assistance Funds.
S	1059	Scholarship Funds for Juveniles.
S	1061	Community College Allied Health Program Funds.
S	1062	Medicaid Reimbursement Rate.
S	1063	Chatham Rural Life Museum Funds.
S	1064	Funds for Central Carolina Comm. Coll. Bldg.
S	1066	State Employees/Wellness Pilot Program.
S	1069	UNC Capital & Operating Funds.
S	1071	State Match Funds for Soil/Water Districts.
S	1072	Funds for N.C. Commodity Groups.
S	1074	N.C. Trading Path Trails Funds.
S	1076	N.C. Legal Education Assistance Funds.
S	1083	Wayne Regional Agricultural Center Funds.
S	1084	Monroe Regional Airport Expansion.
S	1085	Covenant Prison Ministries Funds.
S	1087	Funds for School Nurses.
S	1088	Cancer Prevention & Treatment Act 2007.
S	1097	Rural Tourism Grant/Funds.
S	1098	Additional Magistrate Funds-Clay & Graham Co.
S	1099	Hawthorn Heights Emergency Shelter Funds.
S	1101	Military Community Grant Funds.
S	1103	Funds for Oyster Hatcheries.
S	1105	Funds for New Drug Testing Technology.
S	1113	Funds for Instruction in Financial Literacy.
S	1114	Private College Enrollment in Cont. Budget.
S	1123	N.C. Zoo Barns & Paddocks Funds.
S	1126	Establish Benefit Bank.
S	1127	James K. Polk Historic Site Funds.
S	1134	Court Costs Amendments.
S	1148	Schiele Museum Funds.
S	1149	Use Biodiesel on School Buses.
S	1154	Gaston High School Computer Funds.
S	1155	N.C. Wine & Grape Council/Promotional Funds.
S	1156	Kids on Guard Program/Funds.
S	1157	Tarheel Challenge/Funds.
S	1162	Heart of Triad Project Funds.
S	1164	Pay School Employees the Mandated Minimum.
S	1165	Home Furnishings Industry Marketing Funds.
S	1166	Modify Laws Re: Real Property Commission.
S	1175	Funds to Monitor GHG Emissions.
S	1177	Community Conservation Assistance Pgm. Funds.
S	1181	District 3A/8 Judicial Personnel Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1184	Medicaid Waiver/HIV AIDS Patient Elig.
S	1186	FSU Engineering School.
S	1188	CAP-MR/DD Waiver Change.
S	1190	Eblen Center for Social Enterprise Funds.
S	1191	LMEs Handle Case Management.
S	1194	Asheville Art Museum Funds.
S	1195	Health Adventure Funds.
S	1200	Powell Bill Allocations/Municipal Election.
S	1212	UNC Humanities & Human Values Program Funds.
S	1215	UNC-Chapel Hill & NCCU Law School Funds.
S	1220	Funds/Televisive General Assembly Sessions.
S	1222	Funds for N.C. Solar Center.
S	1225	Cleveland Comm. Coll. Capital Funds.
S	1229	Judicial Branch/Budget Amendments.
S	1230	Sexual Assault Crisis Centers Funds.
S	1231	WNC Farmers Market Funds.
S	1233	UNC-A/Rhoades Hall & Tower Funds.
S	1234	UNC-Asheville/Carmichael Hall Renovation.
S	1235	UNC-A Campus Operation Funds.
S	1236	Funds to Expand MH/DD/SA System.
S	1237	N.C. Arboretum Funds.
S	1243	NC A & T Student Services Center Funds.
S	1244	ECU Dental School Funds.
S	1247	Coastal River Herring Funds.
S	1249	Funds for Community Health Education Center.
S	1252	Lapsed Salaries Revert.
S	1254	Funds for the State's Aquariums.
S	1257	Leg. Tuition Grant/In-State Tuition Rate.
S	1266	Build Community Infrastructure - MH/DD/SA.
S	1267	Short-Line RR Matching Grant Funds.
S	1274	Tri-County Community College Funds.
S	1276	Funds for Safe and Drug Free Communities.
S	1281	Omnibus Courts Amendments.
S	1283	Funds for SAT Test Fees.
S	1285	Biopic Lenses/Drivers License Tests.
S	1288	Economic Development Funds - COG.
S	1289	Lake Junaluska Visitor & Welcome Center Funds.
S	1291	School Leadership Training Program.
S	1294	Innovative Teacher Compensation Initiative.
S	1296	Enhance Prospective Teacher Scholarships.
S	1297	State Teacher and Employee Longevity Rate.
S	1299	Nash Arts Center Funds.
S	1302	Divide District 24.
S	1304	Mountain Gateway Museum Study Funds.
S	1306	Expand Court-Funded Interpreter Authority.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1311	Carolina Crossroads Music District Funds.
S	1312	Roanoke Rapids Tourism Funds.
S	1320	Highway Trust Fund Security Act of 2007.
S	1328	Salary Schedule for Teachers.
S	1333	Fund Prevention of Child Abuse.
S	1334	Public Employee Pollworkers.
S	1341	Eastern Film Commission Funds.
S	1342	N.C. Assoc. CDC/Funds.
S	1345	Create the Office of Env. Justice/Funds.
S	1352	GAP Funding For Turnpike Authority.
S	1355	Western N.C. Museum of History Funds.
S	1356	Teacher Housing Pilot Project.
S	1361	Fund Stream Mapping.
S	1368	Sterilization Compensation.
S	1369	Salary Increase for School Psychologists.
S	1370	Salary Schedule for Teacher Assistants.
S	1371	Modify Assistant Principals' Salary Schedule.
S	1372	Funds for Regional Trauma Centers.
S	1373	Children With Vision Tutorial Funds.
S	1374	Funds/Min. Recruitment Pharmacy Schools.
S	1375	Garner Road YMCA Funds.
S	1377	Funds for Ferry Refurbishment.
S	1378	Funds for Ocracoke Fishing Facility.
S	1379	UNC/Research Vessel Hatteras Funds.
S	1381	Coastal River Herring Funds.
S	1382	Northeast Commission - Per Diem/Mileage.
S	1386	Neighborhood Schools & Teacher Merit Pay.
S	1387	Visiting Artists for Low-Wealth Comm. Coll.
S	1395	Short-Line RR Matching Grant Funds.
S	1401	Promote HUB & Supplier Diversity/Funds.
S	1403	Carteret Comm. Coll. Capital Funds.
S	1404	Core Sound Waterfowl Museum Funds.
S	1406	"No Adult Left Behind" Initiative.
S	1413	Education Recovery Act of 2007.
S	1414	NCSU Engineering Funds.
S	1415	Develop State Seafood and Marine Industries.
S	1420	Closing the Equity Gap/Increase Homeownership.
S	1423	Davidson's Fort Historic Park Funds.
S	1425	North Carolina 4-H Funds.
S	1427	Marketing Assn. Rehab. Funds.
S	1429	Repay Economic Emergency Funds.
S	1430	Amend Criminal Offenses/Injury to Property.
S	1433	Cost of Living Increase/MR Group Homes.
S	1438	4-H Funds.
S	1439	Funds for Grassroots Science Museums.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1440	Access to Justice Funds.
S	1441	Small School System Supplemental Funding.
S	1443	Study/School of Medicine in Buncombe/Funds.
S	1448	Funds/Farmland Preservation Trust Fund.
S	1450	Environmental Study/White-Water Center/Funds.
S	1454	ECU Shared Academic Building/Planning Funds.
S	1455	ECU Indigent Care Funds.
S	1458	Tobacco Dependent Community Trust Fund.
S	1459	Funds for ECU Summer Theatre Program.
S	1463	Modify School Testing & Accountability Prog.
S	1471	DWQ Salary Adjustment Funds.
S	1474	Millennium Teacher Scholarship Funds.
S	1475	WSSU-Hill Hall Conversion & Renovation Funds.
S	1476	Granville Clerk Funds/Hospital Opening.
S	1481	Campaign Report Random Audits.
S	1487	Increase Legislative Tuition Grants.
S	1493	Fund State Water Infrastructure Commission.
S	1494	Shellfish Industry Enhancements.
S	1499	DOC Reentry Funds.
S	1500	Proceeds - Disposition of Dix Hospital.
S	1501	Endor Iron Furnace Funds.
S	1502	Museum of Life and Science Funds.
S	1511	Funds for Test Coordinators in Grades K-8.
S	1514	Edgecombe/Nash Center Funds.
S	1515	Funds for Folklife Institute.
S	1519	UNC Hospitals/Bed Tower & Operating Room Fund.
S	1520	NCCU/Drainage & Landscape Improvements.
S	1521	UNC Hospitals/Indigent Care Funds.
S	1523	CSS Neuse Funds.
S	1524	Funds for Theater Productions.
S	1526	Greene County Justice Center.
S	1528	Judicial Department Independence.
S	1533	Montgomery CC Health Sciences Building Funds.
S	1536	Motorsports Consortium Funds.
S	1539	Rural Center Funds.
S	1549	US 221 Construction Funds for Ashe County.
S	1552	BEACON/Data Integration Funds.
S	1555	Girl Talk Foundation Funds.
S	1583	TANF Block Grant Funds/Boys & Girls Club.
S	1587	State Ports Authority Funds.
S	1591	Topsail Beach/Beach Nourishment Funds.
S	1593	Penderlea Homestead Museum Funds.
S	1594	"Horn in the West" Funds.
S	1606	Prairie Ridge Ecostation Funds.
S	1607	Funds for Family House at UNC Hospitals.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1609	UNC-Asheville Funds.
S	1610	Recommendations of MH/DD/SA Oversight Comm.
S	1611	North Carolina Veterans Park Funds.
S	1612	Defense Security Technology Accelerator Funds.
S	1613	Funds for the Teacher Cadet Program.
S	1614	Focused Ed. Reform Prog. Funds Do Not Revert.
S	1615	Increase Funds for SPICE.
S	1616	Veterinary Medical Clinical Teaching & Research Funds.
S	1618	N.C. Literacy Connection Funds.
S	1621	Richmond Comm. Coll. Capital Project.
S	1623	Funds for Osteoporosis Education Program.
S	1624	Funds for Prevent Blindness, Inc.
S	1635	Rotary Planetarium & Science Center Funds.
S	1637	Hayes Performing Arts Center Funds.
S	1638	ASU Funds/Coll. of Nursing & Health Sciences.
S	1639	New Fire Truck for Boone/Funds.
S	1642	Senior Center Funds.
S	1643	Home & Community Care Block Grant Funds.
S	1647	Whirligig Complex Funds.
S	1649	Electing Counties/Hold Harmless.
S	1655	Biofuels Center Funds.
S	1656	Funds for Regional Councils of Government.
S	1658	Funds for Division TEACCH.
S	1659	Funds for Public Libraries.
S	1660	Funds/N.C. Zoological Park Upgrade.
S	1663	FSU Funds/Fire Training Tower.
S	1664	Central Park Funds.
S	1665	Funds for Autism Community Initiatives, Inc.
S	1667	Funds/Aid to Community Health Centers.
S	1668	Health Care Policy Council.
S	1670	Funds/Adolescent Pregnancy Prevention.
S	1671	TANF Funds for Connect, Inc.
S	1672	Funds/Healthy Start Foundation.
S	1673	Funds/Hypertension Prevention Demo Project.
S	1674	Funds/Stroke Advisory Council.
S	1676	Fund Public Health Improvement Initiatives.
S	1677	Funds for School Health Centers.
S	1679	Smart Start Funds.
S	1680	Funds/Heart Disease and Stroke Awareness.
S	1682	Funds Identify Stroke Rehabilitation Services.
S	1683	Funds for Rural Hospital Operations/Maint.
S	1685	Child Care Subsidy Funds.
S	1690	New Trooper Position in Brunswick County.
S	1691	Signers Memorial/Hugh Williamson Funds.
S	1693	Marine Technology Research Vessel Funds.



**APPROPRIATIONS/BASE BUDGET (continued)**

S	1707	Occaneechi Tribal Center Funds.
S	1710	National Guard Operations Funds.
S	1711	Funds to Replace Community College Equipment.
S	1712	EPIC Building Construction Funds.
S	1713	Funds for Johnson and Wales University.
S	1717	Self-Serve Center Funds.
S	1718	Community College Technical Educ. Programs/Funds.
S	1719	Community College Allied Health Program Funds.
S	1720	Funds for Community College Counselors.
S	1721	UNCG & NCA&T Nanoscience Funds.
S	1724	Constable Lab Generator Funds.
S	1725	Agricultural Education Funds.
S	1726	Center for Bioenergy Technologies Funds.
S	1728	N.C. Minority Support Center/Funds.
S	1729	Community Development Funds.
S	1730	Promote State of North Carolina/Funds.
S	1732	Funds for Safe Sleep Campaign.
S	1735	Funds to Reduce Recurring Preterm Births.
S	1737	Funds to Promote Women's Health/Childbearing.
S	1738	T.E.A.C.H. Funds.
S	1739	ECU Expand Medical Education/Planning Funds.
S	1740	ECU Family Medical Center Funds.
S	1741	Rescue Squad Workers' Relief Fund.
S	1742	Cochlear Implants/ECU Ed. & Training Funds.
S	1743	Increase R&D Funding for Wine/Grape Council.
S	1744	Funds for Children's Hospital Svces.
S	1751	Adult Protective Services Pilot Funds.
S	1752	Reestablish Committee on Dropout Prevention/Funds.
S	1754	Infrastructure Trust Fund.
S	1759	Legislative Tuition Grant/Redefine Part-Time Student.
S	1760	Funds for School Transportation.
S	1762	Funds for Efficient, Green School Facilities.
S	1765	Rollins Laboratory Renovation/Funds.
S	1767	Funds/Adult DD Day Service Pilot.
S	1768	Funds for 4-H Camps & Conference Centers.
S	1771	Food Safety Staffing/Funds.
S	1773	Vital Records Storage/Funds.
S	1774	Address Autopsy Backlog/Funds.
S	1777	Expand Flu Vaccine for Children/Funds.
S	1778	Purchase of Emergency Generator/Funds.
S	1779	Family Assistance Center Funds.
S	1781	Construct Genetics Facility/Mission Hospital.
S	1782	N.C. Arboretum/Biotech/Integ. Medicine Funds.
S	1783	UNC-A Funds/Carmichael Hall.
S	1786	Oppose Real ID Act of 2005.

**APPROPRIATIONS/BASE BUDGET (continued)**

S	1793	HFA/Expand Home Protection Program.
S	1794	Funds for CAP/MR-DD Slots.
S	1801	Improve State GIS/CGIC Funds.
S	1809	Improve Adult Care Home Screening and Care.
S	1810	Funds/Minority Recruitment Pharmacy Schools.
S	1811	Special Asst. Income Disregard Study.
S	1813	Funds for Oyster Hatcheries.
S	1814	Thalian Hall Funds.
S	1818	Contentnea Metro Sewerage District Funds.
S	1819	Ayden Community Center Funds.
S	1820	ECU Indigent Care Funds.
S	1821	ECU Dentistry School/Operating Funds.
S	1822	ECU Dental School Funds.
S	1824	Funds/Autism Early Intervention.
S	1826	R&R of Outdoor Theaters.
S	1827	Funds for Calculators for Algebra II Students.
S	1831	Project C.A.R.E. for Dementia Funds.
S	1834	13th District Judicial Assistant Funds.
S	1835	Columbus County Shell Building Debt Funds.
S	1836	Tabor Correctional Beaver Control Funds.
S	1837	Brunswick Arts Council Funds.
S	1847	N.C. Biotechnology Center Funds.
S	1848	Rural Economic Development Appropriation.
S	1849	Kids Voting Funds.
S	1850	Funds for DD Services.
S	1854	Resource Conservation & Dev. Councils Funds.
S	1855	WOW e-Community Funds.
S	1858	School Construction Pilot Program.
S	1859	Trenton Sewer Funds.
S	1863	Additional Lottery Funds for School Bldgs.
S	1864	Agricultural Education Program Development Funds.
S	1865	Agricultural Curriculum Development Coordinator Funds.
S	1866	Friends of Agriculture Funds.
S	1867	FFA Center at White Lake Funds.
S	1873	Community College Advance Planning Funds.
S	1877	Funding for State Ethics Commission.
S	1881	26th District ADA Funds.
S	1884	Increase Per Diem Reimbursement to Counties.
S	1886	Mental Health Court Position Funds.
S	1888	26th District Management Analyst Funds.
S	1889	26th Judicial District Position Funds.
S	1893	No Fees for First Aid Courses/School Employees.
S	1894	Congestion Relief/Intermodal Transport Fund.
S	1896	Small Business Contractor Act Revisions.
S	1898	School Nutrition Program Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1899	NC AVID Funds.
S	1900	Raise Funding Cap/Gifted Children.
S	1901	Science Museums of Wilson Funds.
S	1903	Funds/UNC Women's Health Research.
S	1904	John Coltrane Music Hall Funds.
S	1905	DPI/Curriculum on 1898 Wilmington Race Riot.
S	1906	Leadership Connections Funds.
S	1907	Job Training Funds.
S	1908	High Point Home Furnishings Market Funds.
S	1909	Funds/Accessible Electronic Information Act.
S	1910	Housing Trust Fund Appropriations.
S	1911	Wise Guys Funds.
S	1912	NC A&T Visual/Performing Arts Funds.
S	1913	North Carolina Arts Council Funds.
S	1914	Adolescent Pregnancy Prevention/Dropout Funds.
S	1915	International Civil Rights Museum Funds.
S	1917	NC A&T Student Services Center Funds.
S	1918	Medicaid Rate/Certain Facilities.
S	1919	Malachi House Funds.
S	1920	African-American Heritage Comm./Funds.
S	1921	New State Capitol Police Positions.
S	1922	Free Parking For Handicapped/Gov't. Parking.
S	1928	Funds/Expand PTA Pilot Project.
S	1930	State Parks System Additions.
S	1931	N.C. Keep America Beautiful Staff Funds.
S	1932	Agricultural Drought Response Funds.
S	1935	Duplin Events Center Funds.
S	1940	Communities in Schools Funds.
S	1941	Salary/Teachers with Advanced Degrees.
S	1942	Teacher Assistant Salary Schedule.
S	1943	N.C. Museum of Art Funds.
S	1949	Duplin School Funds for Immersive Technology.
S	1950	Require DOT to Pay Nonbetterment Costs.
S	1954	Historically Minority University Initiative.
S	1956	Chair of Parole Commission/Salary.
S	1959	Water Resource Management Funds.
S	1960	Durham Vance Education Pilot Program.
S	1961	Study Agricultural. Research Stations/Develop Plan.
S	1962	Horace Williams Airport Closure Restrictions.
S	1963	Funds/Small Bus. Technology & Development Centers.
S	1964	E-NC Connectivity/Tech. Econ. Dev. Jobs Funds.
S	1965	Funds/Stem Cell Research.
S	1972	Funds to Support School Science Competitions.
S	1973	Farm to School Funds.
S	1974	Communities in Schools Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1975	FTCC 3-D Technology Funds.
S	1978	Adult Care Home Reimbursement Rate Increase.
S	1979	Community Colleges May Reallocate Capital Funds.
S	1983	Amend Scholarship For Children of War Veteran.
S	1984	Mecklenburg VFD Funds.
S	1985	Covenant Prison Ministries Funds.
S	1990	Funds/Beaufort's 300th Anniversary.
S	1991	Rural Center/Funds for Sewer Projects.
S	1992	Modify the Textbook Funding Formula.
S	1994	Funds for Mentors for Teachers.
S	1995	Modify Low-Wealth School Funding Formula.
S	1999	NCSU Nonappropriated Capital Projects.
S	2000	Native American Cultural Center Funds.
S	2001	Regional Agriculture Center Funds.
S	2002	Employers Must Use Federal E-Verify Program.
S	2003	Small School System Supplemental Funding.
S	2004	Child Welfare Collaborative Funds.
S	2008	Medicaid Appeals Change.
S	2009	Scholarships/Children of Fallen Heroes.
S	2012	Teach for America Funding.
S	2013	Some Personal Leave Time/No Penalty.
S	2014	UNC to Study Structure & Organization of DPI.
S	2016	NCSU Horticultural Program in Eastern N.C.
S	2017	Modify Appropriations Act of 2007.
S	2018	Funds/Expand PTA Pilot Project.
S	2019	Community Colleges Can't Admit Illegal Aliens.
S	2022	UNC Research Campus at Kannapolis/Funds.
S	2023	N.C. Research Campus Funds.
S	2024	Jones Forestry Headquarters Funds.
S	2025	North Topsail Beach/Beach Nourishment Funds.
S	2026	Career & Technical High Schools/Pilot Project.
S	2027	State Health Plan/Local Government Retiree Contrib.
S	2030	Drug/Alcohol Treatment Funds.
S	2031	State Employees 7% Pay Raise.
S	2032	Winston-Salem Urban League Funds.
S	2034	Science, Education, and Training Program.
S	2035	North Carolina Sea Grant Funding.
S	2036	Recurring Funds for Economic Dev. & Businesses.
S	2037	Funds/UNC STEP/OASIS Programs.
S	2038	Richmond Forestry Headquarters Funds.
S	2039	Community Resource Council Funds.
S	2040	Montgomery Contaminated Wells Funds.
S	2041	Cancer Drug and Medical Device Repository.
S	2042	Migrant Farm Labor Housing Pilot Program.
S	2043	Waterfront Access and Marine Industry Fund.

**APPROPRIATIONS/BASE BUDGET (continued)**

S	2044	CSS Neuse Funds.
S	2046	Johnson & Wales Funds.
S	2047	Additional DSSF Funding for Schools.
S	2048	Mecklenburg Arthritis Services Funds.
S	2049	Funds for Mobile Barbershops Pilot Program.
S	2050	DOT to Plant Tree Seedlings in Rights-of-Way.
S	2051	Principal Fellows/Optional Scholarship.
S	2052	Dept. of Defense/Certified ChildCare Facility.
S	2053	Cleveland Correctional Dormitory Funds.
S	2054	NC A&T/UNCG Joint Primary Data Center Funds.
S	2055	Pay Equity Study Commission.
S	2057	Durham Minor League Baseball Museum Funds.
S	2058	Johnson C. Smith Funds.
S	2061	Funds/New Bern's 300th Anniversary.
S	2065	Textile Center Equipment & Operating Funds.
S	2069	Electing Counties/Hold Harmless.
S	2071	Nanoscience & Nanoengineering Equipment Funds.
S	2074	Our Children's Place Funds.
S	2076	Prevent Prescription Drug Fraud.
S	2077	Stock Assessments of Marine Fish.
S	2079	Eve Carson/Abhijit Mahato Comm. Service Program.
S	2080	UNC Campus Safety/Funds.
S	2082	Local Water & Sewer Grants/Funds.
S	2083	Funds for PSA Health Care, Inc.
S	2085	Durham Court Position Funds.
S	2089	CoOp. Regional Fund/Children W/Disabilities.
S	2090	Juvenile Crime Prevention Council Funds.
S	2091	Criminal Justice Partnership Program Funds.
S	2092	Repeal Telephone Requirement.
S	2093	Western Regional History Museum Funds.
S	2094	Funds for First Tee Program.
S	2095	Multicampus Center Funds for Wake Tech.
S	2099	Funds/From This Day Forward Outdoor Drama.
S	2102	Appellate Clerks/Judicial Retirement System.
S	2103	Judicial Branch/Budget Amendments.
S	2105	Judicial Department Independence.
S	2108	Equitable Judicial Salary Structure.
S	2109	Indigent Funeral/Burial Funds.
S	2111	Mediation Network Funds.
S	2114	Funds for the A+ Schools Program.
S	2115	Mortgage Crisis/Funds.
S	2116	DHHS/Community Supports Changes.
S	2132	Enhance TSERS Benefits/Retirement COLAs.
S	2140	Retirement Systems Division Funds.
S	2144	Disability Income/Eliminate Veterans Offset.

**COMMERCE, SMALL BUSINESS AND ENTREPRENEURSHIP**

H	266	RV Appurtenance Exemption.
H	414	Amend Metals Products Regulations.
H	670	Allow National Guard Post Exchanges.-AB
H	889	License Plate Design Contest.
H	1489	Protect Consumers/Life Settlement Transaction.
H	1559	City Transit Amenities.
H	1623	Worker's Comp./Medical Diagnostic Testing.
H	1700	Notice of Conversion of Manufact. Home Comm.
H	1751	Allowing Consumption by Employee or Agent.
H	2136	Oppose REAL ID Act of 2005.
H	2316	DOT/Contracts for Prof. Engineering.-AB
S	93	Improve State Construction Process.
S	143	Navassa Zoning Jurisdiction.
S	159	Prescription Drug Data Confidential.
S	160	Prescription Drug Label/Country of Manufacture.
S	162	Prevent Prescription Drug Fraud.
S	163	Establish High Risk Pool.
S	177	Health Insurance Coverage/Risk Pool.
S	215	Litter Reduction Act of 2007.
S	259	Restaurant Buffet/Sanitation Reqmnts.
S	269	Clarify Law Re: Volunteer Work by Inmates.
S	321	Repeal Prior Act/Chiropractor Pmts.
S	404	Amateur Radio Operator Antenna Exemptions.
S	414	Confirm Joseph A. Smith, Jr. Comm. of Banks.
S	549	Increase Length Limits for Transit Buses.
S	558	Exempt Zoo from Procurement Process.
S	574	Alt. Method/Disposal of State Surplus Real Property.
S	575	Building Code - Industrial Machinery.
S	582	Mecklenburg OPEB Investments.
S	591	Option to Stop Delivery of Phone Books.
S	593	Minority Businesses/DOT Contracts.
S	635	Prohibit Smoking/Public Places.
S	641	County Ordinances/Smoking.
S	643	Bids/Comply With Federal Transit Law.
S	694	Standards for Code-Enforcement Officials.-AB
S	695	Adopt International Building Code.-AB
S	699	Labor/Mandatory Lunch Break.
S	712	Insurers/Cover Rx in Emergencies.-AB
S	731	Update the Unauthorized Insurers Laws.-AB
S	736	Revise Life and Health Insurance Laws.-AB
S	764	Consumer Real Est. Settlement Protection Act.
S	795	Penalties for Insurance Rate Evasion Fraud.-AB
S	801	Deceptive Local Listing of Nonlocal Florist.
S	817	Residential Property Disclosures.
S	839	Insurance Financial Omnibus Act.-AB

**COMMERCE, SMALL BUSINESS AND ENTREPRENEURSHIP** (continued)

S	870	Custodial Agreements & Clearing Corp. Act.-AB
S	886	Protect Military Personnel/Life Insurance.-AB
S	901	Revise Auto Insurance Rate Filing Approval.
S	946	Pseudoephedrine Sales/Electronic Records.
S	949	Streamline Building Code Adoption.-AB
S	971	Limit Use/State Property Fire Insurance Fund.-AB
S	972	Restroom Equity Act.
S	1004	Industrial Commission Confirmation/Conduct.
S	1021	State Review of Group Insurance Claims.
S	1067	Armed Forces Mutual Aid Associations.
S	1080	Naturopathic Physician Licensing Act.
S	1092	Provide Unpaid Sick Days.
S	1107	Establish Art Therapy Licensure Act.
S	1159	Clarify Law Governing Modular Homes.
S	1163	Amend Electrolysis Practice Act/Fees.
S	1185	Insurance Premiums/Credit Ratings.
S	1198	Regulate Debt Settlement.
S	1216	Nonprofit License Exemption/Building Permit.
S	1217	Window Tinting Certification.
S	1232	Railroad Safety Plans.
S	1239	Safe Walkways for Railroad Workers.
S	1242	Retainage Payments/Construction Contracts.
S	1250	Online Vehicle Registration Partnerships.
S	1255	Cleanup of Abandoned Mobile Homes.
S	1258	State Supplemental Posttax Insurance Products.
S	1307	Low-Emission Vehicles Program/Funds.
S	1315	Est. Community Association Managers Lic. Act.
S	1331	Modify Bedding Sanitation Laws.
S	1338	Amend Workers' Compensation Act.
S	1402	Construction Standards/Manufactured Housing.
S	1416	Vehicle Protection Product Act.
S	1434	Mental Health Parity.
S	1451	Biodiesel Incentive Fund.
S	1478	Manufacturer Coupons/Purchasing ABC Products.
S	1497	Exempt Fire Equipment from MV Inspections.
S	1512	Health Insurance Risk Pool/Healthy NC
S	1525	Recovery of Certain I.T. Equipment.
S	1530	Real Estate Resale Dealers.
S	1553	Recycling Discarded Computer Equipment.
S	1633	Prosthetist/Orthotist/Pedorthist Licensure .
S	1675	Disapprove Building Code Council Fire Code Rule.
S	1688	Holden Beach No-Wake Zone.
S	1696	21st Century Commission Recommendations.
S	1699	CDL/Federal Compliance.-AB
S	1727	DOT/Expedite Subcontractor Payment.

**COMMERCE, SMALL BUSINESS AND ENTREPRENEURSHIP** (continued)

S	1784	DOT/Partnership Agreements/Construction.-AB
S	1789	DOT Bid Limits/Highway Maintenance/Per Year.-AB
S	1790	Voluntary County Participation/DOT.-AB
S	1791	DOT/Contracts for Prof. Engineering.-AB
S	1844	DOT Contracts/Informal Bid Limit.
S	1998	Regulation of Lodging Establishments.

**EDUCATION/HIGHER EDUCATION**

S	39	Raise Cap on Charter Schools.
S	45	Performance Pay for Certain School Employees.
S	61	Waiver of School Starting Date/Some Counties.
S	70	Hiring of Retired Teachers.
S	106	Remove Cap on the Number of Charter Schools.
S	161	Test High School Athletes for Steroids.
S	178	Tuition Discount for Fire Science Programs.
S	329	At-Risk African-Am. Students Res. Consortium.
S	449	Term Limit for Community College Trustees.
S	590	Raise Cap on Number of Charter Schools.
S	683	Add Wesleyan College to UNC System.
S	719	UNC/Ag. Extension Employee Status.-AB
S	737	Modify Comm. Coll. Lateral Entry Process.
S	867	UNC President's Adv. Comm. Recommendations.-AB
S	1678	Clarify Corporal Punishment Policy.
S	1761	IEP Team and Homebound Instruction Changes.
S	1763	Board Cert. Teachers Serve as Full-Time Mentors.
S	1981	Interstate Compact/Education of Military Children.

**EDUCATION/PUBLIC INSTRUCTION**

H	30	Study Performance of Charter Schools.
S	191	Increase Number of Teacher Workdays.
S	450	Testing K-8 National Form Test.
S	461	Change School Starting Date.
S	515	Social-Emotional Curriculum in Public Schools.
S	542	Classroom Experience for School Personnel.
S	664	Social-Emotional Curriculum in Public Schools.
S	709	Offer Sign Language in Schools & Colleges.
S	721	Science Safety in the Public Schools.
S	751	Every Child Ready to Learn.
S	874	Prohibit Corporal Punishment in Schools.
S	892	Salary/Teachers with Advanced Degrees.
S	919	Principals May Retain NBPTS Bonus.
S	977	Modify School Sick Leave Bank Provisions.
S	1116	Local Flexibility Regarding Principals' Contracts.
S	1182	Modify School Health Education Program.
S	1187	DPI/Curriculum on 1898 Wilmington Race Riot.



**EDUCATION/PUBLIC INSTRUCTION** (continued)

S	1295	Revise Low-Wealth Schools Funding Formula.
S	1322	Truth in Education Act.
S	1419	Additional Teachers for Very Small Schools.
S	1446	Amend Health Education Curriculum.
S	1473	Pilot Career Technology High School Program.
S	1532	High School Core Curriculum Study/Delay.

**FINANCE**

H	53	Town of Oriental ETJ.
H	99	Taxpayer Cost Recovery.
H	162	Apex Condemnation Sunset/Amendments.
H	188	Roanoke Rapids/Weldon/Ahoskie Annexations.
H	346	Sales Tax Refund for TDAs.
H	541	Charlotte and Mecklenburg Finance Authority.
H	578	Greensboro Deannexation.
H	666	Building Permit Reductions/Rebates
H	734	Urban Area Revitalization Made Uniform.
H	898	Expunge Nonviolent Felony/Youthful Offender.
H	944	Harnett/Subdivision Recreation Facilities.
H	1207	Greater Asheville Airport Authority Act.
H	1531	Clarify Small Business Health Insurance Credit.
H	1577	Amend Hearing Aid Dealers/Fitters Laws/Fees.
H	1780	Radiation Protection Program Fee Amendments.
H	1895	Tax on Heavy Equipment Rental Agreements.
H	1980	Taxation of Nonqualified Patronage by Coop.
H	2541	Delay Solid Waste Tax Effective Date.
H	2655	Cap Highway Use Tax on EMS Vehicles.
H	2720	Energy-Efficient State Motor Vehicle Fleets.
S	7	Rewarding Work Tax Credit.
S	62	Lincoln County Tax for School Construction.
S	63	Iredell County Tax for School Construction.
S	78	Gaston County Tax for School Construction.
S	104	Repeal Estate and Gift Taxes.
S	133	35th Senatorial District Local Act-1.
S	158	Gold Star Special Plate Change.
S	169	Accelerated Yadkin River Bridge Replacement.
S	183	LEA Sales Tax Refund and Exemption.
S	208	Clean Water Act of 2007.
S	210	Onslow County Local Act.
S	237	Pitt County Local Option Sales Tax.
S	239	Streamlined Sales Tax Changes.
S	240	IRC Update.
S	241	Conservation Tax Credit Modifications.
S	244	Modernize Corporate Income Tax Filing.
S	245	Sales Tax Refund for TDAs.

**FINANCE** (continued)

S	255	Polk Annexations.
S	281	Exemption for Baked Goods.
S	289	Special Plate for Juvenile Diabetes Research.
S	340	Sports Clubs in Burke County.
S	355	Reenact and Expand Long-Term Care Credit.
S	357	Corporate Income Tax Exemption.
S	412	Homestead Exclusion Modifications.
S	416	Alexander County Local Option Sales Tax.
S	438	Sampson County Local Option Sales Tax.
S	446	Leland Annexation.
S	451	Hoke County Local Option Sales Tax.
S	463	Tax Certification - Jones County.
S	471	Taxation of Out-of-State Military Pay.
S	479	Mandatory Water/Sewer Connection.
S	505	Income Tax Credit - Energy Efficient Homes.
S	510	Emission Inspection/Military Exception.
S	516	Sudan (Darfur) Divestment Act.
S	517	Change Gold Star Plate Requirements.
S	524	Tax Form Donation - Breast Cancer Screenings.
S	533	Omega Psi Phi Special Plate Funds Transfer.
S	539	Chapel Hill Energy Efficiency Incentives.
S	551	Granville Land Transfer Tax.
S	552	Manufacturers Energy Tax Exemptions.
S	562	Funds/COPs for VIPER.
S	563	One-Cent Local Option Sales Tax.
S	568	Lee County Local Option Sales Tax.
S	569	Wildlife Conservation Property Tax Relief.
S	572	Hoke County Moratorium.
S	573	Restrict Contracts & Benefits/Illegal Aliens.
S	588	Carrboro/Special Assessments.
S	610	Wake County Revenue Options.
S	612	Hoke Land Transfer Tax.
S	614	Gen. Stat. Comm. Technical Corrections - Arts.
S	618	Union ETJ Rescission Notice.
S	627	Haywood County Sales Tax.
S	631	Asheville/Woodfin Annexation Boundary.
S	636	Granville County Impact Fees.
S	677	Expunge Nonviolent Felony/Youthful Offender.
S	702	Tax Credit - Nonpublic School Students.
S	703	Tax Fairness in Education.
S	708	Hospice/License Fees, Inspections, Funds.
S	726	Sales Tax Exemption for Schools.
S	730	Increase Fee/Medical Records Copying.
S	745	Child Support Collection Fee/Non-TANF Family.-AB
S	761	Sales Tax Exemption for Baked Goods.

**FINANCE** (continued)

S	762	Extend Qualified Business Venture Tax Credit.
S	778	Adjust Individual Income Tax Brackets.
S	808	LEA Sales Tax Refund and Exemption.
S	838	ABC Law Changes.-AB
S	841	Income Tax Credit for Wildlife Land.-AB
S	857	Hospice Care in N.C. Special Plate.
S	875	Research and Development Credit Enhancement.
S	895	Eliminate Property Taxes For Qualifying Veterans.
S	897	Choose Life Special Registration Plate.
S	927	Green School Construction Loan Fund/Program.
S	955	Earned Income Tax Credit.
S	1000	Industrial Revenue Bonds - Research Facility.
S	1007	Expand Fuel Tax Refund.
S	1012	Reduce Tax/Cut Government Spending.
S	1024	Historic Rehabilitation Tax Credit.
S	1031	Railroad Incentives.
S	1040	Revise 529 Plan Deduction.
S	1041	JDIG Amendments.
S	1047	Sales Tax Refund - Research Supplies.
S	1051	Equitable Residential Property Tax Relief.
S	1073	Tax Credit - Wheelchair Patient Exam Tables.
S	1095	Friends of the NRA Special Plate.
S	1106	Waive CAMA Permit Fees/Emergency Repairs.
S	1111	Highway Use Tax Exempt - Handicapped Vehicles.
S	1112	Repeal Incentives - Lower Corporate Tax Rate.
S	1121	Center for Motorcycle Safety and Crash Prevention.
S	1125	Sales Tax Adjustment Factor Correction.
S	1133	County/City Solid Waste Collection.
S	1139	Historic District Infill Tax Credit.
S	1140	Renewable Energy Credit - 501(c)(3).
S	1141	Section 529 Plan - Tax Deduction.
S	1144	Public School Building Bond Act of 2007.
S	1145	Work Opportunity Tax Credit.
S	1153	Sales Tax Refund - Aircraft Manufacturers.
S	1160	New Market Tax Credits.
S	1171	Privilege Tax For Info. Tech. & Serv. Company.
S	1174	Founders' Stock Tax Incentives.
S	1176	Domestic Propane Gas Relief.
S	1197	Local Bonds for Other Post-Employment Benefits.
S	1201	Financing Capital Projects.
S	1203	Present-Use Value Changes.
S	1204	New Civil Penalties for Emissions Violations.
S	1208	Cigarette Tax - Cancer Hospital.
S	1268	Tax on Drug Distributions.
S	1269	Waive Fees for CAMA Emergency Permits.

**FINANCE** (continued)

S	1273	Excise Tax Reduction for Biodiesel.
S	1278	Ethanol Tax Exemption.
S	1280	Judicial Facilities Funding and Purchase.-AB
S	1293	Wildlife Resources Comm. Fees/Licenses.
S	1300	Expand Affordability of Higher Education.
S	1305	Present-Use Value Easement Tax Credit.
S	1308	Repeal Estate and Gift Taxes.
S	1316	Butner Incorporation.
S	1317	Child Health Insurance Tax Credit.
S	1318	Health Insurance Tax Deduction.
S	1321	Repeal Sunset on Gas Tax Cap.
S	1324	No Credit for Obscene Films.
S	1325	Repeal Film Tax Incentives.
S	1329	Vehicle Protection Product Act.
S	1330	Sales of Dogs and Cats at Specialty Markets.
S	1344	Increase Fines for Speeding.
S	1348	Low-Income Housing Property Tax.
S	1366	Datacenter Sales Tax Bill.
S	1367	Reduce Underage Drinking.
S	1384	Article 3J Tier Status.
S	1388	For Hire Blanket CRFL License Fee.
S	1391	Sales Tax Relief For School Supplies.
S	1392	Sales Tax Relief For Certain Textbooks.
S	1393	Reduce and Prevent Underage Drinking.
S	1398	Prepaid Wireless/Service Charges.
S	1410	Pedorthist Licensure.
S	1411	Restore Cigarette Tax Stamps.
S	1412	TIF Districts - UP Zones.
S	1418	LIFT Deduction.
S	1421	Amend Interbasin Transfer Laws.
S	1422	Income Tax - Title 32 National Guard Exempt.
S	1437	Exempt VFD from Highway Use Tax.
S	1467	Increase Penalties for Air Pollution.
S	1484	Sales Tax Medicaid Swap.
S	1510	Disabled Veterans Free at State Parks.
S	1516	Local Option Land Transfer Taxes.
S	1522	Land and Water Conservation Bond Act of 2007.
S	1529	Implement Modernization Commission Recommend.
S	1537	Disabled Hunting and Fishing Licenses Free.
S	1545	Qualified Venture Capital Gain Exemption.
S	1547	Income Tax Modernization.
S	1548	Turnpike Authority Bonds/Secured-State Funds.
S	1592	Special License Plate for "Old Baldy".
S	1600	Increase Fee/Drivers License Restoration.
S	1604	Special Plate for ARTS N.C./Combat Veterans.

**FINANCE** (continued)

S	1617	Special Plate for the Given Memorial Library.
S	1625	Increase Newborn Screening Fee.
S	1626	Special Plate for CureSearch.
S	1628	Increase QBV Tax Credit Cap.
S	1629	Limited Sales Tax Exemption for Baked Goods.
S	1641	Mills River Video Distribution.
S	1698	Express Permitting Review Program.
S	1700	Special Plate - Piedmont Wildlife Center.
S	1701	Special License Plate - Boating Enthusiast.
S	1708	Fort Bragg Annexation.
S	1709	Create New Titling Categories/Street Rod.
S	1723	Extend Sunset/State Ports Tax Credit.
S	1731	Extend Port Tax Credit.
S	1747	Sunset Recycling Facility Credits.
S	1750	Raise Ceiling on Personal Prop. Sale/Guardian.
S	1753	Nursing Home Administrators Criminal History.
S	1769	Energy Efficiency Sales Tax Holiday.
S	1792	School Construction Optimization Act.
S	1795	Irrigation Contractors Licensure/Fees.
S	1798	Contract Agents/Payment by Credit Card.
S	1804	Multiunit Asst. Housing Services Regis. Fee.
S	1808	Increase Long-Term Care Insurance Tax Credit.
S	1815	Marine Diesel Fuel Sales Tax Exemption.
S	1817	Motor Fuels Tax Holiday.
S	1823	Special Plate for Retired Piedmont Employees.
S	1830	Repeal Transfer Tax.
S	1833	Burgaw Meals Tax.
S	1839	Local Government Meals Tax.
S	1857	Tax Free Tax Books.
S	1861	Raise Homestead Exclusion to \$35K.
S	1887	Reinstate Court Fee Exemption.
S	1897	Special Plate for the North Carolina IAAP.
S	1923	Delay Solid Waste Tax Effective Date.
S	1936	Underground Storage Tank Pgrm. Amends-2008.
S	1939	IRC Update.
S	1944	Energy Efficiency Sales Tax Holiday.
S	1947	Chapel Hill Payment-in-Lieu Recreational Facilities.
S	1948	Garnish Wages for County Fees/Duplin County.
S	1953	Modify Bread Sales and Use Tax.
S	1958	City of Sanford/Lee County Water Systems.
S	1976	Town of Leland Occupancy Tax.
S	2006	Earliest Effective Date For S/U Tax Rate Change.
S	2010	Create Titling Categories-Replica/Street Rod.
S	2020	Establish Floodplain Mapping Trust Fund.
S	2059	Tax Credits for Children with Special Needs.

**FINANCE** (continued)

S	2062	Raise Sales and Use Tax Prepayment Threshold.
S	2072	Support Soccer Special Plate.
S	2078	Repeal Combined MV Property Tax Collection.
S	2084	School Construction Optimization Act.
S	2086	Tax on Lottery Winnings.
S	2088	Repeal Estate & Gift Tax.
S	2097	Increase Earned Income Tax Credit Percentage.
S	2100	State Treasurer's Investment Programs.
S	2112	Modify Insurance Gross Premiums Tax.
S	2124	City of Durham Vehicle Tax for Mass Transit.
S	2125	Cherokee County Occupancy Tax.
S	2152	Incorporate Enochville.
S	2156	Special Assessments Authority.

**HEALTH CARE**

H	296	Sterilization Compensation Study.
H	431	Phase Out Mercury in Childhood Vaccines.
H	565	ATV Hel. Req. Exempt/Prop. Ownrs, Less. & Guest.
H	1522	Local Management Entity/Board Membership.
H	1784	Improve MH/DD/SA Quality Control - LMEs.
H	1837	Stem Cell Research Health & Wellness Act.
S	23	Child Restraint Systems/Federal Compliance.
S	43	Smoking in State Govt. Buildings/Prohibition.
S	44	Amend Child Restraint System Exemptions.
S	46	Birth Certificate/Stillborn Infants.
S	243	DHHS/Office of Men's Health.
S	480	No Abortion Coverage/State Health Plan.
S	481	Notarized Consent for Minor's Abortion.
S	662	Require Supervision/Use of Lasers/Medicine.
S	710	Immunization Changes.-AB
S	749	Long-Term Care Providers/Criminal History Study.
S	835	Name Change/Div. Faci. Svces./Commn. Hlth. Svce.
S	896	Prohibit Human Cloning.
S	918	Amend MH/DD/SA Statutes/Rename Facilities.-AB
S	968	Compassionate Care/Victims of Sexual Assault.
S	978	Clarify Authority of Social Services Comm.-AB
S	1018	Vaccine Requirements/School Entry.
S	1091	Practice of Medicine/Surgery Defined.
S	1262	Extend Pilot/Clarify LME Functions/LME Admin.
S	1265	Uniform Sliding Fees - MH/DD/SA Services.
S	1538	County Commissioners Authority/Boards & Agencies.
S	1733	Hospital Report Child Injuries.
S	1980	Amend Massage and Bodywork Therapy Act.
S	2070	Department of Defense/Cert. Child Care Facility.

**JUDICIARY I (CIVIL)**

H	597	Relief From Incorrect Paternity Determin.
H	751	1898 Wilmington Race Riot Acknowledgment.
H	894	General Statutes Technical Corrections-1.
H	1562	Unattended Children in Vehicles.
H	1708	"Subject To" Real Estate Transactions.
H	1750	Change Penalty for Special ID Fraud.
H	2185	Reporting Req's./Confidential Intermediaries.
H	2186	Expand Access/Confidential Intermediary Services.
S	9	DV Order/No Firearm Purchase.
S	10	Violate Order/Possess Deadly Weapon Felony.
S	11	Clarify Nuisance Abatement Laws.
S	12	Recovery of Costs in Civil Cases.
S	27	DV Orders/Repeat Violators.
S	28	Violate Order/Possess Deadly Weapon Felony.
S	29	DV Victims/Security.
S	32	Amend DV Laws/Homicide Reporting.
S	67	Clarify Nuisance Abatement Laws.
S	68	Up Penalties/Sex Offenses With Child Victim.
S	69	Duty to Report Child Porn.
S	72	Health Care Liability Claims.
S	80	Law Officer Record Clandestine Drug Labs.
S	82	Endangerment of Juvenile.
S	87	No Violent/Obscene Video Games Sales to Minor.
S	88	Clarify Oaths.
S	111	Access to Information for Adult Adoptees.
S	114	Execution/Physician Assistance Authorized.
S	122	Amend Investigative Grand Jury Authority.
S	124	Local Government Regulation of Smoking.
S	168	Presidential Primary in February.
S	196	Sex Offender GPS/DOC Requests.
S	201	Increase Criminal Penalty/Theft of Metals.
S	223	Charlotte-Mecklenburg Police Jurisdiction.
S	232	Modify Counterfeit Sales Prosecutions.
S	290	Amend Speeding to Elude Arrest Statute.
S	293	Deceptive Advertising of Business Location.
S	294	Sport Shooting Range Protection.
S	295	Fetal Murder.
S	297	Report Bicycle Accidents to Law Enforcement.
S	310	Continue Child Supp. to 21 Yrs./College Study.
S	311	Increase Penalty/Felon With Firearm.
S	313	Rotating Order of Names on Ballot.
S	356	Enhance Penalty for Rape of Child Victim.
S	402	Jury Fee Waiver Program.
S	405	Reduce Number of Illegal Aliens in Jails.
S	418	Chapel Hill Campaign Finance Options.

**JUDICIARY I (CIVIL)** (continued)

S	466	Amend Concealed Weapons Law.
S	468	Sex Offender GPS/DOC Requests.
S	660	Appointment/Removal of Public Defenders.
S	675	Indecent Liberties/Increase Penalty.
S	681	Firemen's Relief Fund Immunity.-AB
S	690	Collection of Offender Fines and Fees.
S	691	Charlotte-Mecklenburg Police Jurisdiction.
S	693	Attorneys' Fees Provisions/Business Contract.
S	696	Jury Exhibits/Criminal Trials.
S	700	Supreme Court Rule Making.
S	717	Limit Liability at Agricultural Fairs.-AB
S	725	Eyewitness ID Reform Act.
S	727	Amend Drug Trafficking Sentence.
S	740	Undertaking to Stay Money Judgment.
S	760	National Popular Vote Compact.
S	766	Eminent Domain.
S	770	Licensure Changes/Hosp. Adult Cr. Hms., MH.-AB
S	788	DWI Sentencing.
S	793	Strengthen Registration Plate Issuance.
S	807	State LEOs/Enforce Federal Immigration Laws.
S	816	Drug Trafficking/Increase Penalties.
S	818	Amend Viatical Settlements Act.
S	821	Juvenile Nonsecure Custody Criteria.
S	823	Sentence Lengths.
S	824	Revise Law/Juvenile Notice of Appeal.
S	871	County-Owned Public Hospitals/Contracts.
S	877	Volunteer Health Care Providers/Free Clinics.
S	904	General Statutes Technical Correction-1.
S	905	General Statutes Technical Correction-2.
S	932	Purpose of Juvenile Dispositions.
S	933	Adjust B1-E Felony Penalties.-AB
S	934	Amend Grounds/Termination of Parental Rights.
S	935	Restructure Prior Criminal Record Points.
S	950	Qualification for Appt. to Elective Office.
S	951	Local SPA Employee Status/Appeals.
S	969	Statute of Repose/Products Liability Actions.
S	970	Public Safety Employer/Employee Coop. Act.
S	981	Amend Child Welfare Laws/Comply W/Fed Laws.-AB
S	990	Workers' Comp./Firefighter Occupat'al Disease.
S	995	Workers' Comp./Add to Schedule of Injuries.
S	996	Workers' Comp. Annual COLA.
S	997	Increase Cap for Loss of Workers' Organs.
S	1003	Take DNA Sample on Arrest for Certain Crimes.
S	1075	Prohibit Execution/Severe Mental Disability.
S	1077	Regulation of Juvenile Discovery Orders.



**JUDICIARY I (CIVIL)** (continued)

S	1078	Juvenile Jurisdiction to Age 18 Years.
S	1089	Limited Liability/Emergency Medical Care.
S	1094	Personal Protection in Restaurants.
S	1102	Child Support Arrears Guidelines.
S	1104	Pseudoephedrine/Schedule V Drug.
S	1120	Company Police Modernization.
S	1129	Open Discovery/Access to Officers' Notes.
S	1136	Apportioning of Court System Personnel.
S	1161	Rely on Verbal Advice - No Tax Liability.
S	1172	Restraining of Dogs.
S	1179	Limit Liability of LPG Dealer/Certain Others.
S	1189	Security and Immigration Compliance.
S	1210	Limitations/Med. Society Nominations/Med. Bd.
S	1221	Nuisances/Portable Storage Units.
S	1251	Castle Doctrine for N.C.
S	1264	Protect Homeowners/Reduce Foreclosure.
S	1310	Amend Laws/Marriage Without a License.
S	1323	Traffic Stop/Drivers License-Legal Presence.
S	1336	Expunge Nonviolent Crimes/Young Person.
S	1357	Motor Vehicle Chop Shop Act.
S	1445	Juvenile Jurisdiction to Age 18 Years.
S	1447	Amend Domestic Criminal Trespass.
S	1490	Cert. of Merit/Civil Act./Engineer/Architect.
S	1503	Abolish Alienation of Affection/Crim. Conv.
S	1504	Early Release/Certain Drug Violations.
S	1505	Adopt New Interstate Compact/Child Placement.
S	1508	Sex Offender Register/Crime Against Nature.
S	1509	Prohibit Sex Offenders Living with Minors.
S	1534	Nondiscrimination in State Employment.
S	1550	Aiding and Abetting Alcohol Possession.
S	1551	Increase Penalties for Air Pollution.
S	1605	Pitt Co. Sheriff/Access DHHS Drug Data Base.
S	1684	Liability Protection/Private Orgs./Emergen.
S	1734	Transporting Children in Open Bed of Vehicle.
S	1776	Liability Protection for Private Entities.
S	1788	Regulate Dangerous Animals.
S	1816	Amend Child Abuse/Child Fatality Task Force.
S	1982	Incapacity to Proceed/24-hr Facility Closure.
S	2066	Adjust B1-E Felony Penalties.
S	2067	Even Out Prior Criminal Record Point Ranges.
S	2068	Establish Proportionate Sentence Lengths.

**JUDICIARY II (CRIMINAL)**

H	280	Transylvania Tax Collector Appointive.
H	341	Proportionality Review.

**JUDICIARY II (CRIMINAL) (continued)**

H	441	Felony/Steal Or Cut Another's Timber.
H	1168	Pitt County Protest Petitions.
H	1287	Report Denial of Some Pistol Permits.
H	1291	N.C. Racial Justice Act.
H	1787	Expunction Info./Dismissal or Not Guilty.
S	261	Access to Information for Adult Adoptees.
S	333	Extend Age Cutoff/Child Support.
S	482	Use of Emergency Doors/Commission of Larceny.
S	678	Elect District Judges at Primary.
S	704	Eminent Domain Attorneys' Fees/Costs.
S	733	Renunciation Amendments.
S	785	ATV Use for Emergencies.-AB
S	790	Test. Additions to Trusts/Will References.
S	850	School Bus Safety.
S	989	Genital Mutilation/Criminal Offense.
S	1020	Revise Simultaneous Death Act.
S	1022	Electronic Publication of Public Notice.
S	1049	Protect Minor/Porno. & Prostitution Offenses.
S	1219	No Contingent Fees - Economic Development.
S	1279	Limit Liability/White-Water Rafting.
S	1284	Modify School Employee Confidentiality Law.
S	1286	Entry of Inspectors Onto Private Lands.
S	1399	Ban Mobile Phone Use While Driving.
S	1449	Regulate Sales/Glass Vials & Cigarette Wrap.
S	1460	Strengthen Rape Shield Law.
S	1461	Aggravating Factor/No Probation Compliance.
S	1477	Inherently Dangerous Animals.

**MENTAL HEALTH/YOUTH SERVICES**

S	90	Post-Adoption Contacts.
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**PENSIONS, RETIREMENT & AGING**

H	546	Gen. Stat. Comm. Technical Corrections - Arts.
H	1838	Legislative Retirement/Return to Service.
S	347	Flexible Payment/Law Enforcement Separation.
S	536	Retired Teachers Work/No Penalty.
S	784	Durham/LEOs Purchase of Retirement Service.
S	1060	Public Defenders/Judicial Retirement System.
S	1142	Fire and Rescue Workers' Retirement.
S	1213	Amend Reg. of Deeds Supp. Pension Plan.
S	1238	Career Fire and Rescue Retirement.
S	1409	Separation Allowance/Firefighters & EMS.
S	1444	Law Officers' 25-Year Retirement.
S	1582	Increase Fire and Rescue Pension.
S	1846	Enhance National Guard Pension Fund.

**PENSIONS, RETIREMENT & AGING (continued)**

S	2007	Deferred Retirement Option/Fire and Rescue.
S	2129	OIDS Director/Judicial Retirement System.
S	2142	Increase Fire and Rescue Pension.

**RULES AND OPERATIONS OF THE SENATE**

H	140	Study of Principal Compensation.
H	141	Diabetes Awareness Month.
H	603	Rail Service Study Commission.
H	893	Bd. of Governors Student Member May Vote.
H	897	Citizens' Legislative Compensation Commission.
H	904	Duplicate Drivers License Requirements.
H	1139	ABC Law Changes.
H	1289	Honor Ben Ruffin.
H	1311	GA Regrets Slavery.
H	1440	Block Schedule Impacts.
H	1457	Impact of Student Mobility on Academic Perf.
H	1459	Study Missing Persons w/ Dementia.
H	1465	Fibromyalgia Awareness Day.
H	1481	Juvenile DWI/Detention & Study Sanctions.
H	1587	The Local Government Fair Competition Act.
H	1644	Future Uses of Dorothea Dix Hosp. Campus.
H	1683	Official State Bat.
H	1790	Task Force Comp. Attend. to 18 & 100% Grad.
H	1827	Study Employment of Noncertif. Sch. Personnel.
H	1865	NCCU Football Team Recognition.
H	1876	Hillsborough Hog Day 25th Anniversary.
H	1906	Navy OLF.
H	1928	Supporting Federal Rail Legislation.
H	2071	Adjournment Resolution.
H	2256	Inland Port Report.
H	2288	Continue the Dropout Prevention Commission.
H	2367	Involuntary Annexation Moratorium.
H	2398	DHHS Study Group Respite.
H	2430	Study Uniform Volunt. Hlth. Practitioners Act.
S	20	Wilson County Local Act.
S	36	Orange County Local Act.
S	37	Person County Local Act.
S	54	Public Laws.
S	55	25th Senate District Local Act.
S	64	LRC Study Medical Errors.
S	65	41st Senatorial District Local Act.
S	66	LRC Study Environmental Causes of Cancer.
S	89	Legislative Commission on Lethal Injection.
S	94	28th Senatorial District Local Act-1.
S	95	28th Senatorial District Local Act-2.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	102	Honor Herman Moore.
S	107	Special Provision Reform.
S	126	Lumberton City Local Act.
S	127	13th Senatorial District Local Act.
S	134	35th Senatorial District Local Act-2.
S	144	8th Senate District Local Act-1.
S	145	8th Senatorial District Local Act-2.
S	152	3rd Senatorial District Local Act.
S	155	43rd Senatorial District Local Act-2.
S	182	12th Senatorial District Local Act-2.
S	188	42nd Senatorial District Local Act-2.
S	189	42nd Senatorial District Local Act-1.
S	202	46th Senatorial District Local Act-1.
S	203	46th Senatorial District Local Act-2.
S	205	Honor Benny Parsons.
S	206	29th Senatorial District Local Act-1.
S	207	29th Senatorial District Local Act-2.
S	209	Jones County Local Act.
S	216	4th Senatorial District Local Act-1.
S	217	4th Senatorial District Local Act-2.
S	233	10th Senatorial District Local Act-1.
S	234	10th Senatorial District Local Act-2.
S	256	48th Senatorial District Local Act-1.
S	257	48th Senatorial District Local Act-2.
S	283	18th Senatorial District Local Act-2.
S	285	Plan for Statewide Motor Coach Permit.
S	299	Forsyth County Local Act-2.
S	300	Forsyth County Local Act.
S	308	5th Senatorial District Local Act-1.
S	318	33rd Senatorial District Local Act-1.
S	319	33rd Senatorial District Local Act-2.
S	322	45th Senatorial District Local Act-1.
S	323	45th Senatorial District Local Act-2.
S	330	Study Deer Hunting With Dogs.
S	331	Public Laws-1.
S	332	Public Laws-2.
S	338	44th Senatorial District Local Act-1.
S	339	44th Senatorial District Local Act-2.
S	341	Forsyth County Local Act-1.
S	342	Forsyth County Local Act-2.
S	360	2nd Senatorial District Local Act-2.
S	369	50th Senatorial District Local Act-1.
S	370	50th Senatorial District Local Act-2.
S	374	19th Senatorial District Local Act-2.
S	378	Honor Town of Zebulon.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	385	7th Senatorial District Local Act.
S	413	22nd Senatorial District Local Act-1.
S	429	27th Senatorial District Local Act-1.
S	430	27th Senatorial District Local Act-2.
S	437	22nd Senatorial District Local Act-2.
S	440	24th Senatorial District Local Act-1.
S	441	24th Senatorial District Local Act-2.
S	445	Study Bill for Property Tax Relief.
S	460	Denton's 100th anniversary.
S	477	34th Senatorial District Local Act-2.
S	478	34th Senatorial District Local Act-1.
S	483	49th Senatorial District Local Act-1.
S	484	49th Senatorial District Local Act-2.
S	525	40th Senatorial District Local Act-1.
S	526	40th Senatorial District Local Act-2.
S	528	7th Senatorial District Local Act-2.
S	547	36th Senatorial District Local Act-1.
S	548	36th Senatorial District Local Act-2.
S	560	Wake County Local Act.
S	561	Town of Wake Forest Local Act.
S	605	Rockingham County Local Act.
S	606	Guilford County Local Act.
S	629	Asheville Local Acts.
S	657	Study Comm. On State Civil Rights Enforcement.
S	701	Televisive Legislative Session.
S	780	NE Cape Fear - Burgaw Creek Preserve Study.
S	849	Board of Governors Student Member May Vote.
S	869	Confidential Intermediary Changes.
S	888	Study N.C. National Guard Pension Fund.
S	889	Honoring Broadway's 100th Anniversary.
S	928	LRC to Study Financial Responsibility for MVs.
S	959	Study No-Fault for Elderly Disabled Care.
S	980	Law Enforcement Officer Discipline.
S	1001	Leg. Study on Public Building Security.
S	1137	Improve Consumer Credit Reporting LRC.
S	1138	Extend Growth Strategies Commission.
S	1146	Petroleum Underground Storage Tank Study.
S	1150	Study Of Uniformity Of Occupancy Taxes.
S	1151	Utility Review Emergency Plans Study.
S	1158	Electricity Franchise Tax Distribution.
S	1173	Future of the Dorothea Dix Property.
S	1193	Honor Ben Aiken.
S	1202	Est. Commission on Littering/Study.
S	1206	Elevator Contractors and Mechanics Licensure.
S	1209	2007 President Pro Tempore Appointments.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	1223	Study State IT Efficiency.
S	1224	Study Reorg. of Zoo/Issuance of Bonds.
S	1256	2007 Studies Bill.
S	1298	Study Professional Development for Teachers.
S	1301	Primary Road for the N.C. International Port.
S	1319	Good Roads Study Commission.
S	1335	OSP/DOC Correctional Officer Study.
S	1343	SaySo Saturday.
S	1346	Study State Contracts w/Minority Businesses.
S	1396	Deputy Sheriff Employment Protection.
S	1400	Study Prepaid Wireless Service Charges.
S	1405	Study Innovations/Incentives in Education.
S	1462	Study of K-12 School Governance.
S	1488	Study For Hire Boat Industry.
S	1498	Study Disabled Access to UNC Facilities.
S	1506	Memorial for Hugh Morton/New Hanover Co.
S	1540	Designate Heroes Day.
S	1542	Plan To Eliminate Mandatory Min. Sentences.
S	1543	Collective Bargaining for Government Workers.
S	1544	Study Commercial Ferry Regulation.
S	1559	Lee County 100th Anniversary.
S	1560	Honor Dallas Herring.
S	1576	Honor ASU's Football Championship.
S	1584	Auth./State Take Cape Fear Locks/Dams 1, 2, and 3.
S	1585	State Take Cape Fear Locks/Dams 1, 2, and 3.
S	1588	Auth./Boat Towing-Holidays/Sundays.
S	1589	Boat Towing-Holidays/Sundays.
S	1619	Authorizing/Burgaw Meals Tax.
S	1620	Authorizing/Town of Leland Occupancy Tax.
S	1644	DHHS to Study Older Adult Hearing Loss.
S	1666	GS Commis Study Uniform Vol. Hlth. Pract. Act.
S	1702	Haywood County Bicentennial.
S	1705	Lottery Name Changed.
S	1714	Improve Consumer Credit Reporting LRC.
S	1757	Study/DPI & State Board of Education.
S	1758	Study Particip. of Except. Children.
S	1764	Study Regional Education Service Centers.
S	1772	Study Uniform Volunt. Hlth. Practitioners Act.
S	1775	Study/Local Disaster Mgmt. Capability.
S	1780	Emergency Preparedness Study.
S	1802	Health Information Management Study/Funds.
S	1803	Statewide Aging Study.
S	1806	Continue the Dropout Prevention Commission.
S	1807	DHHS Study Group Respite.
S	1812	Study Raising Compulsory Attendance Age.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	1829	Authorizing/County Service District Tax Refund.
S	1841	Study Urban Growth Issues.
S	1869	Authorizing/Annexation Referendum.
S	1870	Authorizing/Presidential Primary in February.
S	1871	Motor Vehicle Emissions Study.
S	1880	Auth./Study/Stand./Disputed Child Custody Cases.
S	1882	Auth./Allow Electronic Copy of Juror Master List.
S	1883	Authorizing/Amend Juror Qualifications.
S	1969	Auth. Res./Amend Precious Metals Permitting.
S	1987	ERC Study Offshore Drilling for Energy Needs.
S	1993	Extend School Formula Committee.
S	2011	DHHS Study/Adult Care Home/Public Housing.
S	2021	Repeal Lawyer Surcharge.
S	2029	Authorizing/Voting in English.
S	2033	Honor Israel's 60th Anniversary.
S	2060	Rewrite Sanitarian Examiners' Laws/Fees.
S	2087	Televising Legislative Session.
S	2096	SOS/ITS Exemption.
S	2098	Flexibility/Appointments/N.C. Auctioneers Comm.
S	2101	Amend Second Hand Vehicle Sales Law.
S	2110	Healthy Families and Healthy Workplaces Act.
S	2147	Garbage Collection Trucks Parking on Highway.
S	2148	Raleigh Master Plan/DOA Cooperation.
S	2151	Spencer Annexation.
S	2153	Castle Doctrine for N.C.
S	2154	Sport Shooting Range Protection.
S	2155	Fetal Murder.
S	2159	Simplify Taxation of Certain HOA Property.
S	2162	Injury to Pregnant Woman/Sep. Offense.
S	2163	Pippin's Law - Spay/Neuter Funds.
S	2164	Disapprove Banking Commission Rules.
S	2165	School Integration 50th Anniversary.
S	2166	Auth./Assault/Law Off., Firefighter, EMS Worker.
S	2169	Tennessee Valley Authority's 75th Anniversary.

**SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS**

H	503	State Health Plan/Various Local Gov't.
H	2214	Charter School/State Health Plan.
H	2440	State Health Plan/Shortfall Funds.
S	148	Sunset Bch./Ocean Isle Bch./State Health Plan.
S	648	State Health Plan/Town of Biltmore Forest.
S	759	Health Insurance/Infertility Coverage.
S	1033	Health Benefit Plans/Std. Insurance Card.
S	1108	State Health Plan/Diabetic Test Strips.

**SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS** (continued)

S	1109	State Employees Health Plan/Charter School.
S	1192	State Health Plan/County Participation.
S	1207	State Health Plan Changes.
S	1599	Town of Hobgood/State Health Plan.
S	1640	Hendersonville/State Health Plan.
S	1785	Funds/State Employee Wellness Program.
S	1838	Charter School/State Health Plan.
S	1853	State Health Plan.
S	2028	State Health Plan/No Abortion Coverage.
S	2145	State Health Plan/Technical Corrections.
S	2146	State Health Plan/Changes to Local Gov't. Enr.
S	2158	State Health Plan/Local Gov't. Participation.

**SELECT COMMITTEE ON GOVERNMENT AND ELECTION REFORM**

H	1020	Rights of Ex-Offenders.
H	1065	Amend State Government Ethics Act.
S	195	Registration and Voting at One-Stop Sites.
S	314	Legislative Integrity and Pension Forfeiture.
S	767	Term Limits for Constitutional Officers.
S	779	Photo I.D. for Voters.
S	814	Regulate Legal Assistance Funds.
S	1002	Auto Dialing and Recorded Message Players.
S	1128	Voter-Owned Elections.
S	1135	State Government Ethics Act Technical Changes.
S	1205	Voter-Owned Elections.
S	1227	Amend State Government Ethics Act.
S	1228	Clarify State Government Ethics Act.
S	1253	Voter Reg. and Voting in English.
S	1261	Legislative Campaigns Pilot.
S	1426	Clarify Nonprofit Asso. Conflict of Interest.
S	1470	Council of State Implementing Statute.
S	1496	Open Ethics Hearings/No Lobbyist Solicitation.
S	1874	Clarify Ethics and Lobbying Laws.

**STATE & LOCAL GOVERNMENT**

H	194	Cherokee School Board Terms.
H	278	ATV Use in North Topsail Beach.
H	469	Reduce Notice Time/Method for Street Closures.
H	509	Ayden/Junked Vehicles.
H	510	Ayden Unfit Dwellings.
H	543	Ashe/Trapping of Foxes.
H	544	Ashe/Trapping of Raccoons.
H	561	Charlotte Mecklenburg Library Board.
H	651	ATV Use in Ansonville.



**STATE & LOCAL GOVERNMENT** (continued)

H	882	Municipal Overgrown Vegetation Ordinances.
H	1018	Durham/Overgrown Vegetation Ordinance.
H	1152	Boiling Spring Lakes/Habitat Conservation.
H	1346	License Plate Agency Contracting.
H	1576	Coordinated Traffic Signals/Reduce Energy Use.
H	1586	Independent Operation of Strike at the Wind.
H	1596	Local Authority for Site Development.
H	1651	Raleigh Subdivision Definition.
H	2095	Regulation of Golf Carts in Pinehurst.
H	2101	Locust and Oakboro to Regulate Golf Carts.
H	2157	Bald Head Island Clerk Appointment.
H	2280	Beulaville/New Hanover Reg. of Golf Carts.
H	2382	Chapel Hill Water Conservation Strategies.
H	2591	Craven Fox Trapping Season.
H	2600	Regulation of Golf Carts in Mayodan.
H	2603	Add Cities/Overgrown Vegetation Ordinance.
H	2609	End DOA Supervision of Local Veterans Service.
H	2668	Charitable Solicitations/Durham.
H	2759	Franklinton Overgrown Vegetation Ordinance.
H	2777	Change Name/Craven County Airport Authority.
S	146	Town of Burgaw ATV Use.
S	166	Catawba County Force Account Limit.
S	351	Wake/Franklin Boundary Clarification.
S	383	Wake School Board Elections.
S	434	Cherokee County Construction.
S	464	ATV Use/Carteret County Towns.
S	511	ATV Use in North Topsail Beach.
S	571	Annexation Moratorium/Hampstead.
S	644	Charlotte/Transit Procurements & Contracts.
S	647	Buncombe Annexation Referendum.
S	650	Polk Annexation Referendum.
S	651	Greensboro/Overgrown Vegetation Ordinance.
S	811	Travel/Tourism Board Include Charter Boat Ind.
S	1376	License Plate Agency Contracting.
S	1394	Employee Association Dues.
S	1397	County Landfill Sale/Hold Referendum.
S	1601	Bolton Boundary Adjustment.
S	1602	Caswell Beach/Building Height Limit.
S	1622	Locust and Oakboro to Regulate Golf Carts.
S	1645	Regulation of Golf Carts in Butner.
S	1692	Wilmington Instant Runoff.
S	1722	Beulaville Regulation of Golf Carts.
S	1749	Chapel Hill Water Conservation Strategies.
S	1832	Martin County Road Hunting.
S	1840	Durham Ward Boundaries.

**STATE & LOCAL GOVERNMENT** (continued)

S	1842	Chapel Hill Energy Efficiency.
S	1856	Craven Fox Trapping.
S	1868	Charlotte Transit Police.
S	1890	Union County Operate Hi-Speed Internet.
S	1916	Greensboro Recall Amendments.
S	1945	Durham Charter Amendment.
S	1986	Wesley Chapel/Lease Property.
S	2005	Parking Regulations in Richmond County.
S	2073	Chapel Hill Historic Structures.
S	2121	Allow Hospital Police to Extend Jurisdiction.
S	2127	Wilson/Public Nuisance Ordinance.
S	2128	New Hanover Annexation Moratorium.
S	2135	Increase Cabarrus County Commissioners.
S	2139	Bertie Deer Hunting.
S	2143	Jt. Juris. Bertie-Martin Jail/Execute Process.
S	2149	Rowan Annexation.
S	2150	Davie Annexation.

**TRANSPORTATION**

S	57	Transport of Indiv. in Wheelchair Study.
S	298	Require Passport for Drivers License.
S	673	Require Dual License Plates on Vehicles.
S	796	Safety/Emission Inspection Changes.-AB
S	1694	Air Space Encroachm. for City of Wilmington.

**WAYS AND MEANS**

H	878	Eminent Domain.
S	13	Defense of Marriage.
S	14	Taxpayers' Protection Act.
S	38	Eminent Domain.
S	84	Four-Year Terms.
S	85	Four-Year Term Implementing.
S	156	Session Limits.
S	214	Annexation Referendum.
S	312	Session Limits.
S	856	District Judge 8-Year Terms.
S	957	Judicial Appointment/Voter Retention.
S	1093	Redistricting Reform.
S	1122	Horton Independent Redistricting Comm.
S	1124	Superintendent of Pub. Instruction Appointed.
S	1347	Superintendent Appointive.
S	1349	Four-Year Term Implementing.
S	1417	Prohibit Retrospective Taxation.
S	1436	Appt. of Magistrates/Emergency Magistrates.
S	1469	Appoint Most Council of State Members.

**WAYS AND MEANS** (continued)

S	1535	Legislative Reform Omnibus.
S	1608	Defense of Marriage.

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**APPENDIX**

**SENATE JOURNAL**

**2007 SESSION**

**SECOND SESSION**

**2008**



**NORTH CAROLINA GENERAL ASSEMBLY  
SENATE DISTRICTS**

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
1st (1)	<b>BEAUFORT, CAMDEN, CURRITUCK, DARE, HYDE, PASQUOTANK, TYRRELL, WASHINGTON.</b>
2nd (1)	<b>CARTERET, CRAVEN, PAMLICO.</b>
3rd (1)	<b>EDGECOMBE, MARTIN, PITT:</b> Precinct Arthur: <b>Tract 16:</b> Block Group 1: Block 1000, Block 1001, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1016, Block 1017; Block Group 2: Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023; <b>Tract 17:</b> Block Group 1: Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1049, Block 1050, Block 1051, Block 1052, Block 1053, Block 1054, Block 1055, Block 1056, Block 1057, Block 1058, Block 1059, Block 1060, Block 1061, Block 1062, Block 1066, Block 1067, Block 1068, Block 1069, Block 1070, Block 1071, Block 1072, Block 1073, Block 1074, Block 1075, Block 1076, Block 1077; <b>Tract 18:</b> Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004; Precinct Ayden B: <b>Tract 12:</b> Block Group 2: Block 2006, Block 2007; <b>Tract 14:</b> Block Group 2: Block 2038; Block Group 3, Block Group 4: Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4010, Block 4011; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5008, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5022, Block 5023, Block 5024, Block 5031, Block 5032, Block 5033; Precinct Belvoir, Precinct Bethel, Precinct Carolina, Precinct Chicod, Precinct Falkland, Precinct Fountain: <b>Tract 19:</b> Block Group 1: Block 1002, Block 1003, Block 1010, Block 1011, Block 1012, Block 1018; Block Group 2: Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2048; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3033; Precinct Greenville 01, Precinct Greenville 03,

Precinct Greenville 04, Precinct Greenville 05A, Precinct Greenville 05B, Precinct Greenville 06, Precinct Greenville 09: **Tract 3:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1008, Block 1009, Block 1010, Block 1018, Block 1019, Block 1998, Block 1999; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4053, Block 4054, Block 4055, Block 4056, Block 4057; **Tract 9:** Block Group 2: Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2036, Block 2037, Block 2055, Block 2056, Block 2057, Block 2059, Block 2993, Block 2994, Block 2995, Block 2996; **Tract 10:** Block Group 4: Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022, Block 4023, Block 4997; Precinct Greenville 12A: **Tract 6:** Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2026; Precinct Grifton, Precinct Grimesland, Precinct Pactolus, Precinct Simpson A, Precinct Simpson B, Precinct Swift Creek.

4th (1) **BERTIE, CHOWAN, GATES, HALIFAX, HERTFORD, NORTHAMPTON, PERQUIMANS.**

5th (1) **GREENE, PITT:** Precinct Arthur: **Tract 6:** Block Group 2: Block 2018, Block 2021; **Tract 16:** Block Group 1: Block 1002, Block 1003, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1020; Block Group 2: Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2049, Block 2050, Block 2054; Block Group 3: Block 3005, Block 3006; Precinct Ayden A, Precinct Ayden B: **Tract 12:** Block Group 1: Block 1033, Block 1034; **Tract 14:** Block Group 1: Block 1005, Block 1012, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1059, Block 1060, Block 1061, Block 1062; Block Group 2: Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2039, Block 2041;

Block Group 5: Block 5004, Block 5005, Block 5006, Block 5007, Block 5015, Block 5016, Block 5025, Block 5026, Block 5027, Block 5028; Precinct Farmville A, Precinct Farmville B, Precinct Fountain: **Tract 18:** Block Group 3: Block 3001; **Tract 19:** Block Group 1: Block 1044; Block Group 2: Block 2001, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2047; Block Group 3: Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032; Precinct Greenville 07A, Precinct Greenville 07B, Precinct Greenville 07C, Precinct Greenville 08A, Precinct Greenville 08B, Precinct Greenville 09: **Tract 1:** Block Group 5: Block 5024, Block 5025; **Tract 2:** Block Group 5: Block 5022, Block 5023, Block 5024, Block 5025; **Tract 3:** Block Group 1: Block 1007, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2037; Block Group 4: Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4999; **Tract 4:** Block Group 3: Block 3005, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027, Block 3028, Block 3029; Block Group 4: Block 4004, Block 4005; Precinct Greenville 10A, Precinct Greenville 10B, Precinct Greenville 11A, Precinct Greenville 11B, Precinct Greenville 12A: **Tract 6:** Block Group 2: Block 2019, Block 2020, Block 2022, Block 2023, Block 2024, Block 2025, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044; **Tract 16:** Block Group 2: Block 2035, Block 2036; Precinct Greenville 12B, Precinct Winterville Central A, Precinct Winterville Central B, Precinct Winterville East; **WAYNE:** Precinct 02: **Tract 2:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019; Block Group 2: Block 2000, Block 2001; Block Group 3; **Tract 3.01:** Block Group 1: Block 1000, Block 1001, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1051,

Block 1052, Block 1053, Block 1054, Block 1055; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3010, Block 3011, Block 3012; Precinct 06, Precinct 07, Precinct 10, Precinct 11, Precinct 12, Precinct 13, Precinct 14, Precinct 15, Precinct 17, Precinct 18, Precinct 19, Precinct 20, Precinct 21, Precinct 22, Precinct 23, Precinct 25; **Tract 8:** Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3034, Block 3035, Block 3036, Block 3037, Block 3038, Block 3039, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047, Block 3050; **Tract 9:** Block Group 6: Block 6010; Block Group 7: Block 7023, Block 7024, Block 7025, Block 7026, Block 7027, Block 7028, Block 7029, Block 7032, Block 7033, Block 7034, Block 7035, Block 7036, Block 7037, Block 7038, Block 7039, Block 7040, Block 7042, Block 7043, Block 7044; Precinct 26: **Tract 6.01:** Block Group 3: Block 3005, Block 3006, Block 3007, Block 3010, Block 3011, Block 3012; **Tract 6.02:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1014, Block 1015, Block 1016, Block 1017; **Tract 9:** Block Group 5: Block 5016, Block 5017, Block 5024, Block 5025, Block 5026, Block 5027, Block 5030, Block 5031, Block 5032, Block 5033, Block 5034, Block 5035, Block 5036, Block 5037, Block 5038, Block 5039, Block 5040; Block Group 7: Block 7000, Block 7001, Block 7002, Block 7003, Block 7004, Block 7007, Block 7008, Block 7009, Block 7010, Block 7011, Block 7012, Block 7013, Block 7014, Block 7015, Block 7016, Block 7017, Block 7018, Block 7019, Block 7020, Block 7021, Block 7022, Block 7041; Precinct 27, Precinct 28, Precinct 29, Precinct 30.



- 6th (1) **JONES, ONSLOW.**
- 7th (1) **FRANKLIN, GRANVILLE, VANCE, WARREN.**
- 8th (1) **BRUNSWICK, COLUMBUS, PENDER.**
- 9th (1) **NEW HANOVER.**
- 10th (1) **DUPLIN, LENOIR, SAMPSON.**
- 11th (1) **NASH, WILSON.**
- 12th (1) **JOHNSTON, WAYNE:** Precinct 01, Precinct 02: **Tract 2:** Block Group 1: Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1020, Block 1027; **Tract 3.01:** Block Group 4: Block 4000, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009; Precinct 03, Precinct 04, Precinct 05, Precinct 08, Precinct 09, Precinct 16, Precinct 24, Precinct 25: **Tract 8:** Block Group 2: Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018; **Tract 9:** Block Group 3: Block 3010; Block Group 6: Block 6001, Block 6002, Block 6003, Block 6005, Block 6007, Block 6008, Block 6009, Block 6011, Block 6012, Block 6013, Block 6014, Block 6015, Block 6017, Block 6998, Block 6999; Block Group 7: Block 7030, Block 7031; **Tract 10:** Block Group 1: Block 1026; Precinct 26: **Tract 9:** Block Group 4: Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4021, Block 4022, Block 4023; Block Group 5: Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5028, Block 5029, Block 5041, Block 5042, Block 5995, Block 5996; Block Group 7: Block 7005, Block 7006.
- 13th (1) **HOKE, ROBESON.**
- 14th (1) **WAKE:** Precinct 01-12: **Tract 527.01:** Block Group 2: Block 2028, Block 2029, Block 2030, Block 2031, Block 2036, Block 2037, Block 2038; Precinct 01-18: **Tract 527.01:** Block Group 1: Block 1013, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034; Precinct 01-19, Precinct 01-20: **Tract 507:** Block Group 1, Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011; Block Group 4: Block 4000, Block 4001,

Block 4002, Block 4003, Block 4004, Block 4005; **Tract 521.02:** Block Group 1: Block 1009; Precinct 01-21: **Tract 521.01:** Block Group 2: Block 2033, Block 2035, Block 2036, Block 2037, Block 2038, Block 2042, Block 2043; **Tract 522.02:** Block Group 1: Block 1027, Block 1028, Block 1029, Block 1039, Block 1040, Block 1041, Block 1050, Block 1052, Block 1053, Block 1056, Block 1059, Block 1060, Block 1061, Block 1062, Block 1063, Block 1064, Block 1065, Block 1069, Block 1080; Precinct 01-22, Precinct 01-26: **Tract 507:** Block Group 3: Block 3012, Block 3013; Block Group 4: Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013; Block Group 5: Block 5004, Block 5005, Block 5006, Block 5007, Block 5008; **Tract 508:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010; Block Group 2: Block 2000, Block 2001, Block 2002; Block Group 3; **Tract 509:** Block Group 1: Block 1019; Block Group 2: Block 2000, Block 2001, Block 2009, Block 2010; **Tract 521.01:** Block Group 2: Block 2000; Precinct 01-28, Precinct 01-34, Precinct 01-35: **Tract 508:** Block Group 1: Block 1011, Block 1012; Block Group 2: Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010; **Tract 509:** Block Group 2: Block 2002, Block 2003, Block 2006, Block 2007, Block 2008, Block 2011, Block 2012; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3019, Block 3020, Block 3021; **Tract 521.01:** Block Group 1, Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2039, Block 2040, Block 2041, Block 2044, Block 2045; **Tract 522.01:** Block Group 1: Block 1021; **Tract 522.02:** Block Group 1: Block 1000; Precinct 01-38, Precinct 01-40, Precinct 01-46, Precinct 01-50, Precinct 09-01, Precinct 09-02, Precinct 09-03, Precinct 10-01, Precinct 10-02, Precinct 10-03, Precinct 10-04, Precinct 13-01, Precinct 13-03, Precinct 13-05: **Tract 540.10:** Block Group 1: Block 1057, Block 1060, Block 1061, Block 1062, Block 1063, Block 1085, Block 1086, Block 1087, Block 1088, Block 1089, Block 1090, Block 1091, Block 1092, Block 1093, Block 1094, Block 1095, Block 1096, Block 1997, Block 1998, Block 1999; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2025, Block 2026, Block 2027, Block 2028; Precinct 13-06: **Tract 540.10:** Block Group 1: Block 1000, Block 1058, Block 1059; Precinct 13-07, Precinct 16-01: **Tract 528.03:** Block Group 2: Block 2033, Block 2035; **Tract 528.04:** Block Group 1: Block 1000, Block 1001, Block 1002; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2033, Block 2034, Block 2035,

Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048; Precinct 16-02, Precinct 16-08, Precinct 17-01, Precinct 17-02, Precinct 17-03, Precinct 17-04, Precinct 17-05, Precinct 17-06, Precinct 17-07, Precinct 17-08, Precinct 17-09, Precinct 17-10, Precinct 17-11, Precinct 19-01, Precinct 19-02: **Tract 542.01**: Block Group 5: Block 5000, Block 5001, Block 5002, Block 5142, Block 5143; **Tract 542.02**: Block Group 2: Block 2013, Block 2014; Precinct 19-04, Precinct 19-07: **Tract 542.01**: Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4999; **Tract 542.02**: Block Group 2: Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2030, Block 2996; Precinct 19-08.

15th (1) **WAKE**: Precinct 01-11, Precinct 01-15, Precinct 01-17, Precinct 01-18: **Tract 526.02**: Block Group 2: Block 2009; **Tract 527.01**: Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1017, Block 1018, Block 1019; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2999; Precinct 01-29: **Tract 515.01**: Block Group 1: Block 1000, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023; Precinct 01-30, Precinct 01-36, Precinct 01-37, Precinct 01-39, Precinct 01-42, Precinct 01-43, Precinct 01-44, Precinct 01-45, Precinct 01-47, Precinct 01-51, Precinct 02-01, Precinct 02-02, Precinct 02-03, Precinct 02-04, Precinct 02-05, Precinct 02-06, Precinct 07-02, Precinct 07-03, Precinct 07-04, Precinct 07-05, Precinct 07-06, Precinct 07-07, Precinct 07-09, Precinct 07-11, Precinct 07-12, Precinct 07-13, Precinct 08-01, Precinct 08-02, Precinct 08-03, Precinct 08-04, Precinct 08-05, Precinct 08-06, Precinct 08-07, Precinct 08-08, Precinct 08-09, Precinct 13-02, Precinct 13-04, Precinct 13-05: **Tract 540.10**: Block Group 1: Block 1046, Block 1047, Block 1050, Block 1052, Block 1053, Block 1056, Block 1064, Block 1065, Block 1066, Block 1067, Block 1068, Block 1069, Block 1070, Block 1071, Block 1072, Block 1073, Block 1074, Block 1075, Block 1076, Block 1077, Block 1078, Block 1079, Block 1080, Block 1081, Block 1082, Block 1083, Block 1084; Precinct 13-06: **Tract 540.10**: Block Group 1: Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1031, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045,

Block 1048, Block 1049, Block 1051, Block 1054, Block 1055; Precinct 14-01, Precinct 14-02, Precinct 19-02: **Tract 542.01**: Block Group 1, Block Group 5: Block 5003, Block 5004, Block 5005, Block 5006, Block 5007, Block 5008, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5022, Block 5023, Block 5024, Block 5025, Block 5026, Block 5027, Block 5028, Block 5029, Block 5030, Block 5031, Block 5032, Block 5033, Block 5034, Block 5035, Block 5036, Block 5037, Block 5038, Block 5039, Block 5040, Block 5041, Block 5042, Block 5043, Block 5044, Block 5045, Block 5046, Block 5047, Block 5048, Block 5049, Block 5050, Block 5051, Block 5052, Block 5113, Block 5114, Block 5115, Block 5116, Block 5117, Block 5118, Block 5119, Block 5120, Block 5121, Block 5122, Block 5123, Block 5124, Block 5125, Block 5132, Block 5133, Block 5134, Block 5135, Block 5136, Block 5137, Block 5138, Block 5139, Block 5140, Block 5141; Precinct 19-03, Precinct 19-05, Precinct 19-06, Precinct 19-07: **Tract 540.10**: Block Group 2: Block 2000, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2062, Block 2063, Block 2064, Block 2065, Block 2066, Block 2067; Block Group 4: Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022, Block 4023.

16th (1) **WAKE**: Precinct 01-01, Precinct 01-02, Precinct 01-03, Precinct 01-04, Precinct 01-05, Precinct 01-06, Precinct 01-07, Precinct 01-09, Precinct 01-10, Precinct 01-12: **Tract 517**: Block Group 1: Block 1008; **Tract 518**: Block Group 1: Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1020, Block 1021, Block 1022, Block 1023; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005; Block Group 3; **Tract 527.01**: Block Group 2: Block 2039; Precinct 01-13, Precinct 01-14, Precinct 01-16, Precinct 01-20: **Tract 501**: Block Group 1: Block 1052, Block 1053, Block 1054, Block 1057, Block 1058, Block 1059, Block 1060, Block 1061, Block 1079, Block 1080, Block 1081, Block 1082, Block 1083, Block 1084, Block 1085, Block 1086, Block 1087, Block 1088, Block 1089, Block 1093, Block 1094, Block 1095, Block 1096, Block 1097, Block 1098, Block 1099, Block 1100, Block 1101, Block 1102; **Tract 507**: Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003; Precinct 01-21: **Tract 522.02**: Block Group 1: Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block

1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1042, Block 1043, Block 1044, Block 1045, Block 1051, Block 1997, Block 1998, Block 1999; Block Group 2, Block Group 3; Precinct 01-23, Precinct 01-25, Precinct 01-26: **Tract 501**: Block Group 1: Block 1090, Block 1091, Block 1092, Block 1112, Block 1113, Block 1114, Block 1115, Block 1116, Block 1117; **Tract 509**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1015, Block 1016, Block 1017, Block 1018, Block 1020, Block 1021; Precinct 01-27, Precinct 01-29: **Tract 515.01**: Block Group 1: Block 1008; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2017, Block 2018, Block 2019; **Tract 515.02**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010; Precinct 01-31, Precinct 01-32, Precinct 01-33, Precinct 01-35: **Tract 508**: Block Group 2: Block 2011, Block 2012, Block 2013; **Tract 509**: Block Group 1: Block 1022, Block 1023, Block 1024, Block 1025; Block Group 2: Block 2004, Block 2005, Block 2013; Block Group 3: Block 3004, Block 3005, Block 3006, Block 3016, Block 3017, Block 3018; **Tract 522.01**: Block Group 1: Block 1000, Block 1001, Block 1018, Block 1019, Block 1020; **Tract 522.02**: Block Group 1: Block 1001, Block 1002; Precinct 01-41, Precinct 01-48, Precinct 01-49, Precinct 04-01, Precinct 04-02, Precinct 04-03, Precinct 04-04: **Tract 535.07**: Block Group 2: Block 2001, Block 2002; Block Group 3: Block 3007, Block 3008, Block 3009; Precinct 04-05, Precinct 04-08, Precinct 04-09, Precinct 04-11, Precinct 04-12, Precinct 04-15, Precinct 04-17, Precinct 04-18, Precinct 04-20, Precinct 04-21, Precinct 05-01, Precinct 05-02, Precinct 05-03, Precinct 07-01, Precinct 07-10, Precinct 11-01, Precinct 11-02, Precinct 18-01: **Tract 523.01**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1021, Block 1022, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041; **Tract 523.02**: Block Group 2: Block 2003, Block 2004, Block 2005, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2999; Precinct 18-06: **Tract 523.01**: Block Group 1: Block 1003, Block 1005, Block 1006, Block 1017, Block 1018, Block

1019, Block 1020, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1043, Block 1996, Block 1997, Block 1998, Block 1999; **Tract 524.04**: Block Group 1: Block 1043, Block 1996, Block 1997, Block 1998, Block 1999; **Tract 530.01**: Block Group 2: Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027; **Tract 530.02**: Block Group 1: Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042, Block 1043, Block 1057, Block 1058, Block 1994, Block 1998, Block 1999; Precinct 18-08: **Tract 530.01**: Block Group 2: Block 2000, Block 2001, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2031, Block 2032, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043; Precinct 20-02: **Tract 534.03**: Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2015, Block 2016, Block 2017, Block 2018; **Tract 536**: Block Group 2: Block 2119, Block 2120, Block 2121, Block 2122, Block 2123, Block 2128, Block 2129, Block 2130, Block 2131, Block 2132, Block 2133, Block 2134, Block 2135, Block 2136, Block 2137, Block 2138, Block 2139, Block 2140, Block 2141, Block 2142, Block 2143, Block 2144, Block 2145, Block 2146, Block 2147, Block 2148, Block 2149, Block 2150, Block 2151, Block 2161, Block 2162, Block 2164, Block 2165, Block 2166, Block 2167, Block 2202, Block 2221, Block 2222, Block 2223, Block 2224, Block 2225, Block 2226, Block 2227, Block 2228, Block 2229, Block 2230, Block 2231, Block 2232, Block 2233.

17th (1) **WAKE**: Precinct 03-00, Precinct 04-04: **Tract 535.08**: Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010; Precinct 04-06, Precinct 04-07, Precinct 04-10, Precinct 04-13, Precinct 04-14, Precinct 04-16, Precinct 04-19, Precinct 06-01, Precinct 06-02, Precinct 06-03, Precinct 12-01, Precinct 12-02, Precinct 12-03, Precinct 12-04, Precinct 12-05, Precinct 12-06, Precinct 12-07, Precinct 15-01, Precinct 15-02, Precinct 15-03, Precinct 15-04, Precinct 16-01: **Tract 528.05**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018,

Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1061; Precinct 16-03, Precinct 16-04, Precinct 16-05, Precinct 16-06, Precinct 16-07, Precinct 16-09, Precinct 18-01: **Tract 530.02:** Block Group 2: Block 2019, Block 2020, Block 2021; Precinct 18-02, Precinct 18-03, Precinct 18-04, Precinct 18-05, Precinct 18-06: **Tract 530.02:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1044, Block 1045, Block 1046, Block 1049, Block 1050, Block 1993; Precinct 18-07, Precinct 18-08: **Tract 530.01:** Block Group 1: Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009; Block Group 2: Block 2028, Block 2029, Block 2030, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2044, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054, Block 2055, Block 2056, Block 2057, Block 2058, Block 2059, Block 2060, Block 2061, Block 2062, Block 2063, Block 2064, Block 2065, Block 2066, Block 2067, Block 2068, Block 2080, Block 2081, Block 2082, Block 2083, Block 2084, Block 2085, Block 2086, Block 2087, Block 2088, Block 2089, Block 2090, Block 2091, Block 2164, Block 2165; Precinct 20-01, Precinct 20-02: **Tract 534.03:** Block Group 2: Block 2013, Block 2014, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2054, Block 2055, Block 2056, Block 2057; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011; Precinct 20-03, Precinct 20-04, Precinct 20-05, Precinct 20-06, Precinct 20-07, Precinct 20-08, Precinct 20-09, Precinct 20-10.

18th (1) **CHATHAM, DURHAM:** Precinct 03: **Tract 4.01:** Block Group 3: Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010; **Tract 4.02:** Block Group 1: Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1043, Block 1048; **Tract 5:** Block Group 1: Block 1003; Precinct 04: **Tract 4.01:** Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017; Block Group 2: Block 2003, Block 2004,

Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023; Block Group 3: Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023; **Tract 4.02**: Block Group 1: Block 1013, Block 1014; Precinct 05: **Tract 5**: Block Group 1: Block 1004, Block 1005; **Tract 15.01, Tract 15.02**; Precinct 06: **Tract 6**: Block Group 2: Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2026, Block 2027, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043; Precinct 16, Precinct 27, Precinct 35, Precinct 36, Precinct 38, Precinct 39, Precinct 43, Precinct 48, Precinct 50, Precinct 51, Precinct 53, Precinct 54; **LEE**.

19th (1) **BLADEN, CUMBERLAND**: Precinct Alderman, Precinct Arran Hills, Precinct Beaver Dam & Cedar Creek, Precinct Black River, Precinct Brentwood, Precinct Cross Creek 01, Precinct Cross Creek 02, Precinct Cross Creek 08, Precinct Cross Creek 10, Precinct Cross Creek 11, Precinct Cross Creek 12, Precinct Cross Creek 14: **Tract 7**: Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004; Precinct Cross Creek 15, Precinct Cross Creek 18, Precinct Cross Creek 20, Precinct Cross Creek 29, Precinct Cross Creek 30, Precinct Cross Creek 31, Precinct Cross Creek 34, Precinct Cumberland 1, Hope Mills 1, & Stoney Point, Precinct Cumberland 2, Precinct Cumberland 3, Precinct Eastover, Precinct Hope Mills 2, Precinct Hope Mills 3, Precinct Judson-Vander, Precinct Linden, Precinct Pearces Mill 2, Precinct Pearces Mill 3, Precinct Pearces Mill 4, Precinct Sherwood, Precinct Stedman, Precinct Wade.

20th (1) **DURHAM**: Precinct 01, Precinct 02, Precinct 03: **Tract 4.01**: Block Group 3: Block 3001, Block 3002, Block 3003; **Tract 4.02**: Block Group 1: Block 1001, Block 1002, Block 1025, Block 1026, Block 1029, Block 1030, Block 1041, Block 1042, Block 1044, Block 1045, Block 1046, Block 1047; **Tract 5**: Block Group 1: Block 1001, Block 1002; Precinct 04: **Tract 4.01**: Block Group 1: Block 1010, Block 1018, Block 1019, Block 1020, Block 1023, Block 1024; Block Group 2: Block 2001; Precinct 05: **Tract 5**: Block Group 1: Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1017, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025; **Tract 6**: Block Group 2: Block 2000, Block 2001, Block 2002; Precinct 06: **Tract 5**: Block



Group 3: Block 3006, Block 3007; **Tract 6:** Block Group 2: Block 2003, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2022, Block 2023, Block 2024, Block 2025, Block 2028, Block 2029; Precinct 07, Precinct 08, Precinct 09, Precinct 10, Precinct 11, Precinct 12, Precinct 13, Precinct 14, Precinct 15, Precinct 17, Precinct 18, Precinct 19, Precinct 20, Precinct 21, Precinct 22, Precinct 23, Precinct 24, Precinct 25, Precinct 26, Precinct 28, Precinct 29, Precinct 30, Precinct 31, Precinct 32, Precinct 33, Precinct 34, Precinct 37, Precinct 40, Precinct 41, Precinct 42, Precinct 44, Precinct 45, Precinct 46, Precinct 47, Precinct 49, Precinct 52.

- 21st (1) **CUMBERLAND:** Precinct Auman, Precinct Cliffdale West, Precinct Cross Creek 03, Precinct Cross Creek 04, Precinct Cross Creek 05, Precinct Cross Creek 06, Precinct Cross Creek 07, Precinct Cross Creek 09, Precinct Cross Creek 13, Precinct Cross Creek 14; **Tract 9:** Block Group 2: Block 2012; Block Group 3, Block Group 6: Block 6004, Block 6005, Block 6006, Block 6008, Block 6009, Block 6010, Block 6011, Block 6012, Block 6013; **Tract 20:** Block Group 1: Block 1000, Block 1018; **Tract 21:** Block Group 2, Block Group 5; Precinct Cross Creek 16, Precinct Cross Creek 17, Precinct Cross Creek 19, Precinct Cross Creek 21, Precinct Cross Creek 22, Precinct Cross Creek 23, Precinct Cross Creek 24, Precinct Cross Creek 25, Precinct Cross Creek 26, Precinct Cross Creek 27, Precinct Cross Creek 28, Precinct Cross Creek 32, Precinct Cross Creek 33, Precinct Lake Rim, Precinct Long Hill, Precinct Manchester, Precinct Montibello, Precinct Morganton Rd 2, Precinct Spring Lake, Precinct Westarea.
- 22nd (1) **HARNETT, MOORE.**
- 23rd (1) **ORANGE, PERSON.**
- 24th (1) **ALAMANCE, CASWELL.**
- 25th (1) **ANSON, RICHMOND, SCOTLAND, STANLY.**
- 26th (1) **GUILFORD:** Precinct Center Grove North, Precinct Clay North 1, Precinct Clay North 2, Precinct Clay South, Precinct Deep River North, Precinct Fentress 2, Precinct Friendship 3, Precinct Friendship 4, Precinct Friendship 5, Precinct GB 06; **Tract 154:** Block Group 6: Block 6006; Precinct GB 39; **Tract 161.01:** Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016; Precinct GB 40A; **Tract 160.02:** Block Group 2: Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029,

Block 2030, Block 2031, Block 2032, Block 2033, Block 2034; Block Group 3: Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012; **Tract 161.01:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1999; Precinct GB 41, Precinct GB 64; **Tract 160.04:** Block Group 4: Block 4063, Block 4064, Block 4065, Block 4066, Block 4068, Block 4069, Block 4071; **Tract 162.01:** Block Group 2: Block 2043, Block 2058, Block 2059, Block 2060, Block 2062, Block 2063, Block 2064, Block 2065, Block 2066, Block 2067, Block 2068, Block 2069, Block 2070, Block 2077, Block 2078; **Tract 162.02:** Block Group 1: Block 1002, Block 1003; Precinct Gibsonville, Precinct Greene, Precinct Jefferson 1; **Tract 128.03:** Block Group 1: Block 1025, Block 1026, Block 1027, Block 1031; **Tract 153:** Block Group 1: Block 1004, Block 1005, Block 1013, Block 1014, Block 1025, Block 1026, Block 1027, Block 1028, Block 1056, Block 1057, Block 1058; Block Group 2; **Tract 154:** Block Group 5: Block 5027, Block 5028, Block 5029, Block 5034, Block 5035, Block 5036, Block 5037, Block 5038, Block 5039, Block 5040, Block 5041, Block 5042, Block 5043, Block 5044, Block 5045, Block 5048, Block 5049; Block Group 6: Block 6000, Block 6001, Block 6002, Block 6003, Block 6004, Block 6005, Block 6007, Block 6009, Block 6010, Block 6011, Block 6012, Block 6013, Block 6014, Block 6015, Block 6016, Block 6017, Block 6018, Block 6019; Precinct Jefferson 2; **Tract 128.03:** Block Group 1: Block 1024, Block 1028, Block 1029, Block 1030, Block 1032; **Tract 153:** Block Group 3: Block 3006, Block 3007, Block 3008, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3034, Block 3035; Precinct Jefferson 4, Precinct Madison North, Precinct Madison South, Precinct Monroe 3, Precinct Oak Ridge 1, Precinct Oak Ridge 2, Precinct Rock Creek 1, Precinct Rock Creek 2, Precinct Stokesdale, Precinct Summerfield 1, Precinct Summerfield 2, Precinct Summerfield 3, Precinct Summerfield 4, Precinct Washington North, Precinct Washington South; **ROCKINGHAM.**

27th (1) **GUILFORD:** Precinct Center Grove 1, Precinct Center Grove 2, Precinct Center Grove 3, Precinct GB 01, Precinct GB 02, Precinct GB 07, Precinct GB 08, Precinct GB 09, Precinct GB 10, Precinct GB 11, Precinct GB 12, Precinct GB 13, Precinct GB 14, Precinct GB 15, Precinct GB 16, Precinct GB 17, Precinct GB 18, Precinct GB 19, Precinct GB 20, Precinct GB 21, Precinct GB 22, Precinct GB 23, Precinct GB 24, Precinct GB 25, Precinct GB 26, Precinct GB 27, Precinct GB 28, Precinct GB 29, Precinct GB 30, Precinct GB 31, Precinct GB 32, Precinct GB 33, Precinct GB 34, Precinct GB 35, Precinct GB 36, Precinct GB 37, Precinct GB 38, Precinct

GB 39: **Tract 125.06**: Block Group 1: Block 1065, Block 1067; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3007; Precinct GB 40A: **Tract 160.02**: Block Group 2: Block 2004, Block 2005; Precinct GB 40B, Precinct GB 42, Precinct GB 43, Precinct GB 44, Precinct GB 45, Precinct GB 47, Precinct GB 48, Precinct GB 49, Precinct GB 50, Precinct GB 51, Precinct GB 52: **Tract 126.04**: Block Group 1: Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3017; Precinct GB 54, Precinct GB 55, Precinct GB 56, Precinct GB 57, Precinct GB 58, Precinct GB 59, Precinct GB 60, Precinct GB 61, Precinct GB 62, Precinct GB 63, Precinct GB 64: **Tract 160.04**: Block Group 4: Block 4038, Block 4044, Block 4045, Block 4046, Block 4047, Block 4048, Block 4049, Block 4050, Block 4051, Block 4052, Block 4053, Block 4054, Block 4055, Block 4056, Block 4057, Block 4058, Block 4059, Block 4060, Block 4061, Block 4062, Block 4067; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5004, Block 5005, Block 5006, Block 5007, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016; Precinct Monroe 1, Precinct Monroe 2.

28th (1) **GUILFORD**: Precinct Deep River South: **Tract 162.02**: Block Group 1: Block 1032, Block 1033, Block 1034, Block 1035, Block 1044, Block 1046, Block 1047, Block 1048, Block 1049, Block 1050, Block 1055, Block 1056, Block 1121, Block 1122, Block 1123, Block 1124, Block 1125, Block 1126, Block 1127, Block 1128, Block 1134, Block 1135, Block 1136, Block 1137, Block 1141, Block 1142, Block 1143, Block 1144, Block 1145, Block 1146; Precinct Fentress 1, Precinct Friendship 1, Precinct Friendship 2, Precinct GB 03, Precinct GB 04, Precinct GB 05, Precinct GB 06: **Tract 127.05**: Block Group 2: Block 2000, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022; **Tract 127.06**: Block Group 2: Block 2000, Block 2001, Block 2004, Block 2005, Block 2006, Block 2007, Block 2011, Block 2013; **Tract 127.07**: Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006; **Tract 128.03**: Block Group 1: Block 1001, Block 1003, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1999; **Tract 154**: Block Group 6: Block 6008; Precinct GB 46, Precinct GB 52: **Tract 113**: Block Group 2: Block 2015, Block

2016, Block 2019, Block 2020, Block 2021; **Tract 114:** Block Group 5: Block 5006, Block 5007, Block 5008; **Tract 126.04:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1011, Block 1012, Block 1013, Block 1026, Block 1027; Precinct GB 53, Precinct GB 64; **Tract 162.02:** Block Group 1: Block 1000, Block 1001, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1133, Block 1147, Block 1148; **Tract 164.03:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1010, Block 1011, Block 1012, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1029; **Tract 165.03:** Block Group 1: Block 1000, Block 1001, Block 1010; Precinct GB 65, Precinct GB 66, Precinct GB 67, Precinct GB 68, Precinct GB 69, Precinct GB 70, Precinct GB 71, Precinct GB 72, Precinct GB 73, Precinct GB 74, Precinct GB 75, Precinct HP, Precinct HP 01, Precinct HP 02, Precinct HP 03, Precinct HP 04, Precinct HP 05, Precinct HP 06, Precinct HP 07, Precinct HP 08, Precinct HP 09, Precinct HP 10, Precinct HP 11, Precinct HP 12, Precinct HP 17, Precinct HP 18, Precinct HP 19A, Precinct HP 19B, Precinct HP 20A, Precinct HP 20B, Precinct HP 26, Precinct HP 27, Precinct Jamestown 1, Precinct Jamestown 2, Precinct Jamestown 3, Precinct Jamestown 4, Precinct Jamestown 5, Precinct Jefferson 1; **Tract 127.06:** Block Group 2: Block 2002, Block 2003; **Tract 128.03:** Block Group 1: Block 1000, Block 1002, Block 1004, Block 1011, Block 1017, Block 1033, Block 1034, Block 1080; Precinct Jefferson 2; **Tract 111.02:** Block Group 2: Block 2000; **Tract 127.07:** Block Group 1: Block 1000, Block 1001; **Tract 128.03:** Block Group 1: Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1042, Block 1049, Block 1051, Block 1055, Block 1066, Block 1067, Block 1069, Block 1070, Block 1074, Block 1075, Block 1076, Block 1077; Block Group 2: Block 2000, Block 2001, Block 2007, Block 2012, Block 2013, Block 2038; **Tract 153:** Block Group 3: Block 3036; Precinct Jefferson 3, Precinct Pleasant Garden 1, Precinct Pleasant Garden 2, Precinct Sumner 1, Precinct Sumner 2, Precinct Sumner 3, Precinct Sumner 4.

29th (1) **MONTGOMERY, RANDOLPH.**

30th (1) **ALLEGHANY, STOKES, SURRY, YADKIN.**

31st (1) **FORSYTH:** Precinct 011, Precinct 012, Precinct 013; **Tract 33.07:** Block Group 1: Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1033, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042,

Block 1043, Block 1044, Block 1045, Block 1053, Block 1054, Block 1055, Block 1056, Block 1057, Block 1058, Block 1059, Block 1060, Block 1061, Block 1062, Block 1063, Block 1064, Block 1065, Block 1066, Block 1067, Block 1068, Block 1069, Block 1070, Block 1071, Block 1072, Block 1999; **Tract 33.08:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1022, Block 1023, Block 1024, Block 1025, Block 1047; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2024, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054, Block 2055, Block 2056, Block 2057, Block 2999; Precinct 014, Precinct 015, Precinct 021, Precinct 031, Precinct 032; **Tract 28.05:** Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1025, Block 1026, Block 1027, Block 1050, Block 1051, Block 1052, Block 1053, Block 1054, Block 1082, Block 1083, Block 1084, Block 1085, Block 1086, Block 1087, Block 1088, Block 1089, Block 1090, Block 1091, Block 1092, Block 1093, Block 1094, Block 1095, Block 1096, Block 1097, Block 1098, Block 1100; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047, Block 3048, Block 3049, Block 3052, Block 3053, Block 3057, Block 3058, Block 3059, Block 3060, Block 3061, Block 3062, Block 3064, Block 3065, Block 3066, Block 3069, Block 3070, Block 3071, Block 3072, Block 3073, Block 3074, Block 3075, Block 3076, Block 3077, Block 3078, Block 3079, Block 3080, Block 3995, Block 3996, Block 3997, Block 3998, Block 3999; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4017, Block 4018; Precinct 033: **Tract 28.07:** Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1013, Block 1014, Block 1015, Block 1016, Block

1017, Block 1018, Block 1019, Block 1020, Block 1021; **Tract 29.01**: Block Group 2: Block 2005, Block 2006, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2022, Block 2023, Block 2024, Block 2029, Block 2030, Block 2031, Block 2033; Precinct 034, Precinct 043; **Tract 33.03**: Block Group 3: Block 3034, Block 3035, Block 3036, Block 3037; **Tract 34.02**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035; Block Group 2: Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2021, Block 2023, Block 2024, Block 2025, Block 2026, Block 2029, Block 2030, Block 2031, Block 2035; Precinct 051, Precinct 052, Precinct 053, Precinct 054, Precinct 055, Precinct 061, Precinct 062, Precinct 063, Precinct 064, Precinct 065, Precinct 066, Precinct 067, Precinct 068, Precinct 071, Precinct 072, Precinct 073, Precinct 074, Precinct 075, Precinct 091, Precinct 092, Precinct 101; **Tract 28.01**: Block Group 3: Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3034, Block 3035, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047, Block 3048, Block 3061, Block 3062, Block 3063; **Tract 28.04**: Block Group 1: Block 1018, Block 1019, Block 1020, Block 1021, Block 1022; Block Group 3: Block 3025, Block 3026, Block 3027, Block 3028; **Tract 28.05**: Block Group 3: Block 3063; Block Group 4: Block 4013, Block 4014, Block 4015, Block 4016, Block 4019; Precinct 111, Precinct 112, Precinct 123; **Tract 39.04**: Block Group 1: Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037; Block Group 2: Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029; Precinct 131, Precinct 132, Precinct 133, Precinct 507; **Tract 33.03**: Block Group 2: Block 2000, Block 2057, Block 2058, Block 2059; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3028, Block 3029; Precinct 701, Precinct 702, Precinct 703, Precinct 704; **Tract 10**: Block Group 3: Block 3009; **Tract 21**: Block Group 1: Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011; Block Group 3: Block 3000, Block 3001, Block 3004, Block 3005, Block

3006, Block 3007, Block 3008, Block 3009, Block 3010; **Tract 22:** Block Group 4: Block 4014, Block 4015, Block 4018, Block 4019; Precinct 705: **Tract 21:** Block Group 2, Block Group 3: Block 3002, Block 3003; **Tract 22:** Block Group 5: Block 5026, Block 5027, Block 5033, Block 5034, Block 5035, Block 5036, Block 5037, Block 5038, Block 5039, Block 5040, Block 5041; Precinct 706, Precinct 707: **Tract 22:** Block Group 5: Block 5006, Block 5007, Block 5008, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5022, Block 5023, Block 5024, Block 5025; **Tract 25.02:** Block Group 2: Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2021, Block 2022, Block 2023, Block 2024, Block 2998, Block 2999; Precinct 801, Precinct 802, Precinct 803, Precinct 804, Precinct 805, Precinct 806, Precinct 807, Precinct 808: **Tract 39.04:** Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2015, Block 2016; **Tract 39.05:** Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009; **Tract 39.06:** Block Group 3: Block 3009, Block 3010, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018; Precinct 809, Precinct 901, Precinct 906, Precinct 907.

32nd (1)

**FORSYTH:** Precinct 013: **Tract 33.08:** Block Group 2: Block 2023, Block 2025, Block 2026, Block 2058, Block 2059, Block 2060, Block 2061, Block 2062, Block 2063, Block 2064, Block 2065, Block 2998; Precinct 032: **Tract 28.04:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014; **Tract 28.06:** Block Group 1: Block 1009, Block 1010, Block 1011, Block 1031; Precinct 033: **Tract 27.02:** Block Group 1: Block 1000, Block 1001, Block 1012; **Tract 28.05:** Block Group 2: Block 2027, Block 2028; **Tract 28.06:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038; Block Group 2; Precinct 042, Precinct 043: **Tract 33.03:** Block Group 3: Block 3032, Block 3033, Block 3038, Block 3039; **Tract 34.01:** Block Group 1: Block 1000, Block 1001, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1033, Block 1034, Block 1035, Block 1036, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045,

Block 1046, Block 1047, Block 1048, Block 1049, Block 1050, Block 1051, Block 1056, Block 1057, Block 1058; Block Group 2;

**Tract 34.02:** Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026; Block Group 2: Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2022, Block 2032, Block 2033, Block 2034, Block 2036, Block 2037; Precinct 081, Precinct 082, Precinct 083, Precinct 101: **Tract 28.04:** Block Group 1: Block 1016, Block 1017, Block 1999; Block Group 2: Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3011, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3029, Block 3030; Precinct 122, Precinct 123: **Tract 39.03:** Block Group 2: Block 2009, Block 2010, Block 2011, Block 2012, Block 2013; Precinct 201, Precinct 203, Precinct 204, Precinct 205, Precinct 206, Precinct 207, Precinct 301, Precinct 302, Precinct 303, Precinct 304, Precinct 305, Precinct 306, Precinct 401, Precinct 402, Precinct 403, Precinct 404, Precinct 405, Precinct 501, Precinct 502, Precinct 503, Precinct 504, Precinct 505, Precinct 506, Precinct 507: **Tract 33.03:** Block Group 2: Block 2001, Block 2002, Block 2003, Block 2006, Block 2007, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2020, Block 2021, Block 2023, Block 2024, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2052, Block 2053, Block 2054, Block 2055, Block 2056, Block 2060, Block 2061, Block 2062, Block 2998; Block Group 3: Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027, Block 3030, Block 3031, Block 3040, Block 3041; **Tract 34.01:** Block Group 1: Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1037, Block 1038, Block 1039, Block 1040, Block 1052, Block 1053, Block 1054, Block 1055; Precinct 601, Precinct 602, Precinct 603, Precinct 604, Precinct 605, Precinct 606, Precinct 607, Precinct 704: **Tract 10:** Block Group 3: Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3010, Block 3011; Precinct



705: **Tract 38.02:** Block Group 1: Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045, Block 1046, Block 1047, Block 1048, Block 1049, Block 1050, Block 1997, Block 1998, Block 1999; Block Group 3: Block 3000; **Tract 38.04:** Block Group 1: Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016; Precinct 707: **Tract 38.02:** Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003; Precinct 708, Precinct 709, Precinct 808: **Tract 39.03:** Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008; Precinct 902, Precinct 903, Precinct 904, Precinct 905, Precinct 908, Precinct 909.

33rd (1) **DAVIDSON, GUILFORD:** Precinct Deep River South: **Tract 162.02:** Block Group 1: Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1075, Block 1076, Block 1079, Block 1087, Block 1088, Block 1092, Block 1093, Block 1094, Block 1096, Block 1097, Block 1098, Block 1099, Block 1100, Block 1101, Block 1108, Block 1115, Block 1118, Block 1119, Block 1138, Block 1139, Block 1140; **Tract 163.01:** Block Group 2: Block 2012; Precinct HP 13, Precinct HP 14, Precinct HP 15, Precinct HP 16, Precinct HP 21, Precinct HP 22, Precinct HP 23, Precinct HP 24, Precinct HP 25.

34th (1) **DAVIE, ROWAN.**

35th (1) **MECKLENBURG:** Precinct 201, Precinct 216, Precinct 218, Precinct 219, Precinct 220, Precinct 221, Precinct 234, Precinct 235, Precinct 236; **UNION.**

36th (1) **CABARRUS, IREDELL:** Precinct Coddle Creek 1, Precinct Coddle Creek 2, Precinct Coddle Creek 3, Precinct Coddle Creek 4: **Tract 613:** Block Group 1: Block 1019, Block 1066, Block 1067, Block 1068, Block 1070; **Tract 614:** Block Group 5: Block 5000, Block 5001, Block 5002, Block 5061, Block 5062, Block 5063,

Block 5064, Block 5065, Block 5073, Block 5998, Block 5999; Block Group 8: Block 8029, Block 8030, Block 8031, Block 8032, Block 8033, Block 8034, Block 8035, Block 8038, Block 8039, Block 8044, Block 8045, Block 8046, Block 8047, Block 8048, Block 8049, Block 8050, Block 8051, Block 8052, Block 8053, Block 8054, Block 8055, Block 8056, Block 8057, Block 8061; **Tract 616:** Block Group 5: Block 5007, Block 5008, Block 5010, Block 5011, Block 5013, Block 5016, Block 5017, Block 5018, Block 5019, Block 5020, Block 5025, Block 5031; Block Group 6: Block 6010, Block 6011, Block 6012, Block 6013, Block 6014, Block 6016, Block 6019, Block 6020, Block 6021, Block 6022, Block 6023, Block 6031, Block 6032, Block 6033, Block 6034, Block 6035, Block 6036.

37th (1) **MECKLENBURG:** Precinct 001, Precinct 002, Precinct 004, Precinct 005, Precinct 006, Precinct 007, Precinct 008, Precinct 009, Precinct 010, Precinct 015, Precinct 017, Precinct 018, Precinct 020, Precinct 021, Precinct 029, Precinct 032, Precinct 033, Precinct 034, Precinct 035, Precinct 037, Precinct 038, Precinct 044, Precinct 045, Precinct 046, Precinct 047, Precinct 049, Precinct 050, Precinct 051, Precinct 061, Precinct 062, Precinct 063, Precinct 064, Precinct 066, Precinct 083, Precinct 084, Precinct 094, Precinct 095, Precinct 099, Precinct 102, Precinct 108, Precinct 109, Precinct 115, Precinct 116, Precinct 117, Precinct 123, Precinct 124, Precinct 125, Precinct 130, Precinct 203, Precinct 205.

38th (1) **MECKLENBURG:** Precinct 011, Precinct 012, Precinct 013, Precinct 016, Precinct 022, Precinct 023, Precinct 024, Precinct 025, Precinct 027; **Tract 52:** Block Group 2, Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012; Block Group 4: Block 4002, Block 4003, Block 4004, Block 4005, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4025, Block 4026, Block 4027, Block 4028, Block 4030, Block 4031, Block 4038; Precinct 031, Precinct 039, Precinct 040, Precinct 041, Precinct 052, Precinct 053, Precinct 054, Precinct 055, Precinct 056; **Tract 51:** Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017; **Tract 52:** Block Group 3: Block 3004, Block 3005; Precinct 078, Precinct 079, Precinct 080, Precinct 081, Precinct 089, Precinct 098, Precinct 120, Precinct 122, Precinct 134, Precinct 138, Precinct 200, Precinct 209, Precinct 210, Precinct 211; **Tract 61.01:** Block Group 1: Block 1004, Block 1005, Block 1006, Block 1011, Block

1062, Block 1063; **Tract 61.02**: Block Group 3: Block 3002, Block 3003, Block 3004, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3030, Block 3040; Precinct 222, Precinct 223, Precinct 224, Precinct 225; **Tract 58.06**: Block Group 1: Block 1012, Block 1013, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1037, Block 1038, Block 1039; Precinct 228, Precinct 229, Precinct 230, Precinct 243, Precinct 77, Precinct 97.

39th (1) **MECKLENBURG**: Precinct 019, Precinct 036, Precinct 048, Precinct 057, Precinct 058, Precinct 059, Precinct 065, Precinct 067, Precinct 068, Precinct 069, Precinct 070, Precinct 071, Precinct 072, Precinct 073, Precinct 074, Precinct 075, Precinct 076, Precinct 085, Precinct 086, Precinct 087, Precinct 088, Precinct 090, Precinct 091, Precinct 092, Precinct 093, Precinct 096, Precinct 100, Precinct 101, Precinct 103, Precinct 106, Precinct 110, Precinct 111, Precinct 112, Precinct 113, Precinct 114, Precinct 118, Precinct 119, Precinct 121, Precinct 129, Precinct 131, Precinct 136, Precinct 137, Precinct 139, Precinct 140, Precinct 144, Precinct 215, Precinct 217, Precinct 225; **Tract 58.06**: Block Group 1: Block 1034, Block 1035, Block 1036, Block 1040, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045, Block 1046, Block 1047, Block 1048, Block 1049, Block 1050, Block 1051, Block 1052, Block 1053, Block 1054, Block 1055, Block 1056, Block 1057, Block 1058, Block 1059, Block 1060, Block 1061, Block 1062, Block 1063, Block 1064, Block 1065, Block 1066, Block 1067, Block 1070, Block 1076, Block 1078, Block 1080, Block 1081, Block 1082, Block 1083, Block 1084, Block 1085, Block 1086, Block 1087, Block 1088, Block 1089, Block 1090, Block 1091, Block 1092; Block Group 2; **Tract 58.07**: Block Group 1: Block 1011, Block 1012, Block 1013, Block 1014; Precinct 226, Precinct 227, Precinct 231, Precinct 232, Precinct 233.

40th (1) **MECKLENBURG**: Precinct 003, Precinct 014, Precinct 026, Precinct 027; **Tract 52**: Block Group 1: Block 1000, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013; **Tract 53.01**: Block Group 1: Block 1000, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1015, Block 1016, Block 1017, Block 1019, Block 1020, Block 1021, Block 1022, Block 1036, Block 1037; Precinct 028, Precinct 030, Precinct 042, Precinct 043, Precinct 056; **Tract 50**: Block Group 2: Block 2000, Block 2001, Block 2005; **Tract 51**: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004,

Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030; **Tract 52:** Block Group 1: Block 1001; **Tract 53.01:** Block Group 1: Block 1001, Block 1002, Block 1013, Block 1014, Block 1018; Precinct 060, Precinct 082, Precinct 104, Precinct 105, Precinct 107, Precinct 126, Precinct 127, Precinct 128, Precinct 132, Precinct 133, Precinct 135, Precinct 141, Precinct 142, Precinct 143, Precinct 145, Precinct 202, Precinct 204, Precinct 206, Precinct 207, Precinct 208, Precinct 211; **Tract 55.03:** Block Group 1: Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1060, Block 1061, Block 1062, Block 1063, Block 1064, Block 1065, Block 1066; **Tract 61.02:** Block Group 3: Block 3000, Block 3001, Block 3005, Block 3006, Block 3007, Block 3026, Block 3027, Block 3028, Block 3029, Block 3031, Block 3032; Precinct 212, Precinct 213, Precinct 214, Precinct 237, Precinct 238, Precinct 239, Precinct 240, Precinct 241, Precinct 242.

41st (1) **GASTON:** Precinct Alexis, Precinct Lucia, Precinct Mt Holly 1, Precinct Mt Holly 2, Precinct Stanley 1, Precinct Stanley 2; **IREDELL:** Precinct Barringer, Precinct Bethany, Precinct Chambersburg, Precinct Coddle Creek 4; **Tract 612:** Block Group 9: Block 9031, Block 9032, Block 9033, Block 9034, Block 9035, Block 9036, Block 9051, Block 9053; **Tract 613:** Block Group 1: Block 1017, Block 1018, Block 1051, Block 1052, Block 1055, Block 1056, Block 1057, Block 1058, Block 1061, Block 1063, Block 1064, Block 1065, Block 1078; **Tract 614:** Block Group 3: Block 3001; Block Group 5: Block 5003, Block 5004, Block 5005, Block 5006, Block 5007, Block 5008, Block 5009, Block 5014, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5025, Block 5026, Block 5030, Block 5032, Block 5033, Block 5042, Block 5046, Block 5047, Block 5048, Block 5059, Block 5060, Block 5066, Block 5067, Block 5068, Block 5069, Block 5070, Block 5072, Block 5076, Block 5077, Block 5078, Block 5081, Block 5082, Block 5083; Precinct Cool Springs, Precinct Davidson 1, Precinct Davidson 2, Precinct Fallstown, Precinct Statesville 1, Precinct Statesville 2, Precinct Statesville 3, Precinct Statesville 4, Precinct Statesville 5, Precinct Statesville 6; **LINCOLN.**

42nd (1) **CATAWBA, IREDELL:** Precinct Concord, Precinct Eagle Mills, Precinct New Hope, Precinct Olin, Precinct Sharpesburg, Precinct Shiloh, Precinct Turnersburg, Precinct Union Grove.

- 43rd (1) **GASTON:** Precinct Armstrong, Precinct Ashbrook, Precinct Belmont 1, Precinct Belmont 2, Precinct Belmont 3, Precinct Bessemer City 1, Precinct Bessemer City 2, Precinct Catawba Heights, Precinct Cherryville 1, Precinct Cherryville 2, Precinct Cherryville 3, Precinct Cramerton, Precinct Crowders Mountain, Precinct Dallas 1, Precinct Dallas 2, Precinct Flint Grove, Precinct Forest Heights, Precinct Gardner Park, Precinct Gaston Day, Precinct Grier, Precinct Health Center, Precinct High Shoals, Precinct Highland, Precinct Landers Chapel, Precinct Lowell, Precinct Mcadenville, Precinct Myrtle, Precinct New Hope, Precinct Pleasant Ridge, Precinct Ranlo, Precinct Robinson 1, Precinct Robinson 2, Precinct Sherwood, Precinct South Gastonia, Precinct Southpoint, Precinct Tryon, Precinct Union, Precinct Victory, Precinct Wood Hill, Precinct York Chester.
- 44th (1) **BURKE, CALDWELL.**
- 45th (1) **ALEXANDER, ASHE, WATAUGA, WILKES.**
- 46th (1) **CLEVELAND, RUTHERFORD.**
- 47th (1) **AVERY, HAYWOOD:** Precinct Allens Creek, Precinct Beaverdam 1, Precinct Beaverdam 2, Precinct Beaverdam 3, Precinct Beaverdam 4, Precinct Beaverdam 5/6, Precinct Beaverdam 7, Precinct Big Creek, Precinct Clyde North, Precinct Clyde South, Precinct Crabtree, Precinct Fines Creek 1, Precinct Fines Creek 2, Precinct Hazelwood, Precinct Iron Duff, Precinct Ivy Hill, Precinct Jonathan Creek, Precinct Lake Junaluska, Precinct Saunook, Precinct Waynesville Center, Precinct Waynesville East, Precinct Waynesville South 1, Precinct Waynesville South 2, Precinct Waynesville West, Precinct White Oak; **MADISON, MCDOWELL, MITCHELL, YANCEY.**
- 48th (1) **BUNCOMBE:** Precinct Asheville 18, Precinct Asheville 19, Precinct Asheville 24; **Tract 12:** Block Group 5: Block 5001, Block 5002, Block 5018, Block 5019, Block 5020, Block 5021, Block 5022, Block 5023, Block 5024, Block 5025, Block 5029, Block 5030, Block 5033, Block 5034, Block 5992, Block 5993, Block 5994, Block 5995; **Tract 23.02:** Block Group 3: Block 3014, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3028, Block 3029, Block 3030, Block 3031, Block 3043, Block 3044, Block 3045, Block 3046, Block 3050, Block 3051, Block 3052, Block 3053, Block 3054, Block 3055, Block 3056, Block 3057, Block 3060, Block 3062, Block 3992, Block 3993, Block 3994; Precinct Asheville 29, Precinct Averys Creek, Precinct Biltmore, Precinct Broad River, Precinct Fairview 1, Precinct Fairview 2, Precinct Limestone 1, Precinct Limestone 2, Precinct

Limestone 3, Precinct Limestone 4, Precinct Lower Hominy 1, Precinct Lower Hominy 3, Precinct Upper Hominy 1 & 3;  
**HENDERSON, POLK.**

49th (1) **BUNCOMBE:** Precinct Asheville 01, Precinct Asheville 02, Precinct Asheville 03, Precinct Asheville 04, Precinct Asheville 05, Precinct Asheville 06, Precinct Asheville 07, Precinct Asheville 08, Precinct Asheville 09, Precinct Asheville 10, Precinct Asheville 11, Precinct Asheville 12, Precinct Asheville 13, Precinct Asheville 14, Precinct Asheville 15, Precinct Asheville 16, Precinct Asheville 17, Precinct Asheville 20, Precinct Asheville 21, Precinct Asheville 22, Precinct Asheville 23, Precinct Asheville 24; **Tract 12:** Block Group 5: Block 5005, Block 5006, Block 5007, Block 5008, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5026, Block 5027, Block 5028; **Tract 13:** Block Group 2: Block 2015, Block 2016, Block 2018, Block 2023, Block 2024, Block 2025, Block 2027; **Tract 23.02:** Block Group 3: Block 3064, Block 3987; **Tract 25.02:** Block Group 4: Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4024, Block 4025, Block 4026, Block 4027, Block 4028, Block 4029, Block 4030; Block Group 6: Block 6000, Block 6007, Block 6008, Block 6009, Block 6010, Block 6011, Block 6012, Block 6013, Block 6014, Block 6015, Block 6016, Block 6017, Block 6019, Block 6020, Block 6021, Block 6022, Block 6023, Block 6024, Block 6026, Block 6027, Block 6028, Block 6029, Block 6030; Precinct Asheville 25, Precinct Asheville 26, Precinct Asheville 27, Precinct Asheville 28, Precinct Black Mountain 1, Precinct Black Mountain 2, Precinct Black Mountain 3, Precinct Black Mountain 4, Precinct Black Mountain 5, Precinct Flat Creek, Precinct French Broad, Precinct Hazel 1, Precinct Hazel 2, Precinct Ivy 1 & 2, Precinct Leicester 1, Precinct Leicester 2 & Sandy Mush, Precinct Lower Hominy 2, Precinct North Buncombe, Precinct Reems Creek, Precinct Reynolds, Precinct Riceville 1 & Swannanoa 2, Precinct Riceville 2 & Swannanoa 3, Precinct Swannanoa 1, Precinct Upper Hominy 2, Precinct Weaverville, Precinct West Buncombe 1, Precinct West Buncombe 2, Precinct Woodfin, Precinct Woodland Hills.

50th (1) **CHEROKEE, CLAY, GRAHAM, HAYWOOD:** Precinct Cecil, Precinct East Fork, Precinct Pigeon, Precinct Pigeon Center;  
**JACKSON, MACON, SWAIN, TRANSYLVANIA.**

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**SENATE RESOLUTIONS****2008 SESSION**

**Adopted June 11, 2008** (See page 198.)

**S.R. 1603 A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE.**

Whereas, the provisions of G.S. 106-2 require that appointees to the Board of Agriculture be confirmed by the Senate of North Carolina; and

Whereas, the Governor has submitted to the presiding officer of the Senate the names of his appointees; Now, therefore,  
Be it resolved by the Senate:

**SECTION 1.** The appointments of Larry Sampson and Jean J. Boseman to the Board of Agriculture for terms to expire May 1, 2013, are confirmed.

**SECTION 2.** This resolution is effective upon adoption.

**Adopted July 2, 2008** (See page 356.)

**S.R. 1927 A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.**

Whereas, the provisions of G.S. 135-6 require that appointees to the Board of Trustees of the Teachers' and State Employees' Retirement System be confirmed by the Senate of North Carolina; and

Whereas, the Governor has submitted to the presiding officer of the Senate the names of his appointees; Now, therefore,  
Be it resolved by the Senate:

**SECTION 1.** The appointment of Shirley East Harris to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire March 31, 2011, is confirmed.

**SECTION 2.** The appointment of Joyce H. Elliott to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire June 30, 2011, is confirmed.

**SECTION 3.** The appointments of Mark Roberts, Harold T. Keen, and Paschal W. Swann to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for terms to expire March 31, 2012, are confirmed.

**SECTION 4.** This resolution is effective upon adoption.

**Adopted June 25, 2008** (See page 272.)

**S.R. 2167 A SENATE RESOLUTION RECOGNIZING THE ACHIEVEMENTS OF DR. OLIVER SMITHIES, 2007 NOBEL PRIZE WINNER.**

Whereas, Dr. Oliver Smithies grew up in Yorkshire, England, and attended Oxford University, where he earned a bachelor of arts degree in physiology and a master's degree and doctorate in biochemistry; and

Whereas, Dr. Smithies began his career at Connaught Medical Research Laboratory in Toronto, Canada, where he worked from 1953 to 1960, and during which time he invented a method of separating proteins to identify genes, a technique that became a standard in most laboratories; and

Whereas, Dr. Smithies worked at the University of Wisconsin at Madison from 1960 to 1988 and during his tenure there co-discovered a method of introducing DNA material into cells and replicated a natural process called homologous DNA recombination; and

Whereas, Dr. Smithies' laboratory also produced the first animal model of cystic fibrosis; and

Whereas, in 1988, Dr. Smithies joined the faculty of the School of Medicine at the University of North Carolina at Chapel Hill, where he is currently an Excellence Professor of Pathology and Laboratory Medicine; and

Whereas, while at UNC-CH, Dr. Smithies has worked on developing animal models for studying gene therapy in hypertension and other genetic disorders, including sickle cell disease; and

Whereas, Dr. Smithies has published numerous articles and books on his research and has been elected to various scientific organizations, including the United States National Academy of Sciences, American Academy of Arts and Sciences, American Association for the Advancement of Science, and the United States Institute of Medicine; and

Whereas, Dr. Smithies has received many honors and awards for his significant contributions to science and medicine, including the following: Gairdner Foundation International Award for contributions to medical science in 1990; North Carolina Award for Science in 1993; American Association of Medical Colleges' Award for Distinguished Research in 1998; O. Max Gardner Award in 2002; Wolf Prize in Medicine in 2003; and the Genetics Society of America's 2007 Thomas Hunt Morgan Medal given for lifetime contributions to the field of genetics in 2008; and

Whereas, on October 8, 2007, the Nobel Foundation announced that Dr. Oliver Smithies, Mario R. Capecchi of the University of Utah's Howard Hughes Medical Institute, and Sir Martin J. Evans of the United Kingdom would share the Nobel Prize for physiology or medicine "for their discoveries of principles for introducing specific gene modifications in mice by the use of embryonic stem cells"; and

Whereas, Dr. Smithies became the first full-time faculty member at the University of North Carolina at Chapel Hill to win a Nobel Prize; and



Whereas, Dr. Smithies' dedication and contributions to genetic research have earned him the respect and admiration of his peers and the citizens of this State; Now, therefore,

Be it resolved by the Senate:

**SECTION 1.** The Senate congratulates Dr. Oliver Smithies on winning the 2007 Nobel Prize and declares him a North Carolina institution.

**SECTION 2.** The Principal Clerk shall transmit a certified copy of this resolution to Dr. Oliver Smithies.

**SECTION 3.** This resolution is effective upon adoption.

**Adopted July 10, 2008** (See page 460.)

**S.R. 2170 A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF AN APPOINTMENT MADE BY THE GOVERNOR TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.**

Whereas, the provisions of G.S. 135-6 require that appointments to the Board of Trustees of the Teachers' and State Employees' Retirement System be confirmed by the Senate; and

Whereas, the Governor has submitted to the presiding officer of the Senate the name of an appointee; Now, therefore,

Be it resolved by the Senate:

**SECTION 1.** The appointment of Pearla M. Alston to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire March 31, 2011, is confirmed.

**SECTION 2.** This resolution is effective upon adoption.

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**EXECUTIVE ORDERS  
of the  
GOVERNOR OF THE STATE  
OF NORTH CAROLINA**

In compliance with G.S. 150A (Art. 5) and Chapter 479 (S.B. 1 [Sec. 152]) of the 1985 Session Laws, the Office of the Governor of the State of North Carolina has filed with the Senate Principal Clerk a copy of all Executive Orders issued following adjournment of the 2007 Reconvened Legislative Session on September 11, 2007. The full text of Executive Orders 124 through 142 issued by Governor Michael F. Easley can be found in the Session Laws of the 2007 General Assembly, Regular Session 2008.

<b>Executive Order</b>	<b>Title</b>	<b>Date of Issuance</b>
124	Replacing Executive Order No. 86, Statewide Flexible Benefits Program	September 19, 2007
125	Extending Executive Order No. 84, North Carolina Emergency Response Commission	September 19, 2007
126	Extending Executive Order No. 89, Food Safety and Defense Task Force	September 19, 2007
127	Extending Executive Order No. 91, Governor's Task Force for Healthy Carolinians	September 19, 2007
128	Governor's Advisory Council on Hispanic/Latino Affairs	September 19, 2007
129	Extending Executive Order No. 123, Emergency Relief for Damage caused By Drought	September 26, 2007
130	Proclamation of State Disaster for the Town of Spruce Pine	September 25, 2007
131	Proclamation of State Disaster for the Town of Tryon	November 30, 2007
132	Proclamation of State Disaster for the Town of Taylorsville	November 30, 2007

133	Replacing Executive Order No. 83, Juvenile Justice Planning Committee	November 30, 2007
134	Extending Executive Order No. 123, Emergency Relief for Damage Caused By Drought	December 20, 2007
135	Amending and Extending Executive Order No. 123, Emergency Relief for Damage caused by Drought	February 6, 2008
136	Reestablishing the North Carolina Commission on Volunteerism and Community Service	February 14, 2008
137	North Carolina Interagency Council for Coordinating Homeless Programs	February 29, 2008
138	Amending Executive Order No. 84 Regarding the North Carolina Emergency Response Commission	February 29, 2008
139	North Carolina State Health Coordinating Council	March 11, 2008
140	Termination of Executive Order No. 82	May 13, 2008
141	Proclamation of a State of Disaster for Bertie and Onslow Counties	May 27, 2008
142	Proclamation of State of Emergency by the Governor of the State of North Carolina	June 6, 2008

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## SENATE COMMITTEE ASSIGNMENTS

COMMITTEE	STANDING MEETING TIME/ROOM
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### AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES

**Tues/Thurs—544 LOB—11:00 AM**

<b>Chairman</b>	Senator Atwater
<b>Vice Chairman</b>	Senator Allran
<b>Vice Chairman</b>	Senator Cowell
<b>Vice Chairman</b>	Senator Kinnaird
<b>Vice Chairman</b>	Senator Swindell
<b>Vice Chairman</b>	Senator Weinstein
<b>Members</b>	Senators Albertson, Bingham, Brock, Brown, Clodfelter, East, Hartsell, Jenkins, Jones, Preston, Queen, Smith, Snow, Tillman

### APPROPRIATIONS/BASE BUDGET

**Tues/Wed/Thurs—643 LOB—8:30 AM**

<b>Co-Chairman</b>	Senator Albertson
<b>Co-Chairman</b>	Senator Dannelly
<b>Co-Chairman</b>	Senator Garrou
<b>Advisory Member</b>	Senator Dalton
<b>Advisory Member</b>	Senator Hagan
<b>Members</b>	Senators Apodaca, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clodfelter, Cowell, Dorsett, East, Foriest, Forrester, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kerr, Kinnaird, Malone, McKissick, Nesbitt, Preston, Purcell, Queen, Rand, Rucho, Shaw, Smith, Snow, Soles, Stevens, Swindell, Tillman, Weinstein

### APPROPRIATIONS ON DEPARTMENT OF TRANSPORTATION

**Tues/Wed/Thurs—1027 LB—8:30 AM**

<b>Chairman</b>	Senator Jenkins
<b>Vice Chairman</b>	Senator Soles
<b>Members</b>	Senators Berger of Rockingham, East, Hoyle, Rucho, Shaw

**APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION****Tues/Wed/Thurs—414 LOB—8:30 AM**

<b>Senior Chairman</b>	Senator Swindell
<b>Co-Chairman</b>	Senator Boseman
<b>Co Chairman</b>	Senator Stevens
<b>Members</b>	Senators Foriest, Hartsell

**APPROPRIATIONS ON EDUCATION/PUBLIC INSTRUCTION****Tues/Wed/Thurs—328 LOB—8:30 AM**

<b>Senior Chairman</b>	Senator Malone
<b>Co-Chairman</b>	Senator Queen
<b>Members</b>	Senators Nesbitt, Preston, Tillman

**APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY****Tues/Wed/Thurs—1124 LB—8:30 AM**

<b>Co-Chairman</b>	Senator Cowell
<b>Co-Chairman</b>	Senator Dorsett
<b>Members</b>	Senators Brock, Graham, Hunt, Kerr, Smith

**APPROPRIATIONS ON HEALTH AND HUMAN SERVICES****Tues/Wed/Thurs—422 LOB—8:30 AM**

<b>Co-Chairman</b>	Senator Berger of Franklin
<b>Co-Chairman</b>	Senator Purcell
<b>Members</b>	Senators Blake, Dannelly, Forrester, Goss

**APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY****Tues/Wed/Thurs—415 LOB—8:30 AM**

<b>Co-Chairman</b>	Senator Kinnaird
<b>Co-Chairman</b>	Senator Snow
<b>Vice-Chairman</b>	Senator Clodfelter
<b>Members</b>	Senators Apodaca, Bingham, Brunstetter, Jones, Rand

**APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES****Tues/Wed/Thurs—423 LOB—8:30 AM**

<b>Chairman</b>	Senator Weinstein
<b>Vice Chairman</b>	Senator McKissick
<b>Members</b>	Senators Albertson, Brown, Jacumin

**COMMERCE, SMALL BUSINESS AND ENTREPRENEURSHIP****Tues/Thurs—1027 LB—11:00 AM**

<b>Chairman</b>	Senator Soles
<b>Vice Chairman</b>	Senator Hoyle
<b>Vice Chairman</b>	Senator Rand

**COMMERCE, SMALL BUSINESS AND ENTREPRENEURSHIP**

(continued)

**Members****Tues/Thurs-1027 LB-11:00 AM**

Senators Apodaca, Berger of Franklin,  
 Berger of Rockingham, Blake,  
 Boseman, Dalton, Dorsett, Foriest,  
 Forrester, Garrou, Goodall, Goss,  
 Graham, Hagan, Hunt, Jacumin, Kerr,  
 Malone, McKissick, Nesbitt, Purcell  
 Rucho, Shaw, Stevens

**EDUCATION/HIGHER EDUCATION****Senior Chairman****Co-Chairman****Co-Chairman****Members****Wed-423 LOB-12:00 NOON**

Senator Swindell  
 Senator Boseman  
 Senator Stevens  
 Senators Allran, Berger of  
 Rockingham, Bingham, Cowell,  
 Foriest, Garrou, Hartsell, Hoyle, Hunt,  
 Jenkins, Malone, McKissick, Purcell,  
 Rand, Rucho

**EDUCATION/PUBLIC INSTRUCTION****Senior Chairman****Co-Chairman****Members****Wed-415 LOB-10:00 AM**

Senator Malone  
 Senator Queen  
 Senators Apodaca, Berger of Franklin,  
 Brown, Dalton, Dannelly, Dorsett,  
 Forrester, Goodall, Goss, Graham,  
 Hagan, Jones, Nesbitt, Preston, Smith,  
 Snow, Swindell, Tillman

**FINANCE****Co-Chairman****Co-Chairman****Co-Chairman****Vice Chairman****Vice Chairman****Members****Tues/Wed-544 LOB-1:00 PM**

Senator Clodfelter  
 Senator Hoyle  
 Senator Kerr  
 Senator Hartsell  
 Senator Shaw  
 Senators Albertson, Allran, Apodaca,  
 Atwater, Berger of Rockingham, Blake,  
 Boseman, Brock, Brown, Brunstetter,  
 Cowell, Dalton, Dannelly, Garrou,  
 Goodall, Goss, Hagan, Hunt, Jenkins,  
 Kinnaird, McKissick, Nesbitt, Preston,  
 Purcell, Queen, Rand, Rucho, Smith,  
 Soles, Stevens, Swindell, Tillman,  
 Weinstein

**FINANCE SUBCOMMITTEE ON CAPITAL AND INFRASTRUCTURE****FINANCING****Chairman****Members****Upon Call of Chairman**

Senator Clodfelter

Senators Brunstetter, Cowell, Hartsell,  
Hoyle, Kerr, McKissick, Soles, Stevens**HEALTH CARE****Co-Chairman****Co-Chairman****Vice Chairman****Vice Chairman****Vice Chairman****Members****Wed-544 LOB-11:00 AM**

Senator Bingham

Senator Purcell

Senator Dorsett

Senator Foriest

Senator Forrester

Senators Allran, Atwater, Berger of  
Franklin, Blake, Brunstetter,  
Dannelly, Hagan, Hartsell, Hoyle,  
Jacumin, Jones, Kinnaird, Malone,  
Nesbitt, Rand**INFORMATION TECHNOLOGY****Co-Chairman****Co-Chairman****Vice Chairman****Members****Upon Call of Chairman**

Senator Cowell

Senator Dorsett

Senator Graham

Senators Apodaca, Berger of Franklin,  
Berger of Rockingham, Brock, Foriest,  
Goss, Hartsell, Kerr, Queen**JUDICIARY I (Civil)****Chairman****Vice Chairman****Vice Chairman****Vice Chairman****Members****Tues/Thurs-1027 LB-10:00 AM**

Senator Nesbitt

Senator Berger of Rockingham

Senator Clodfelter

Senator Soles

Senators, Albertson, Boseman, Brock,  
Brown, Brunstetter, Cowell, Graham,  
Hoyle, Jenkins, Kinnaird, Malone,  
McKissick, Rand, Stevens, Tillman**JUDICIARY II (Criminal)****Chairman****Vice Chairman****Vice Chairman****Vice Chairman****Members****Tues/Thurs-1124 LB-10:00 AM**

Senator Hartsell

Senator Allran

Senator Berger of Franklin

Senator Jones

Senators Apodaca, Atwater, Bingham,  
Dalton, Dannelly, Dorsett, East,  
Goodall, Jacumin, Kerr, Queen, Snow,  
Swindell



**MENTAL HEALTH/YOUTH SERVICES**

**Wed-414 LOB-12:00 Noon**

- Co-Chairman** Senator Atwater
- Co-Chairman** Senator Kinnaird
- Vice Chairman** Senator Nesbitt
- Members** Senators Dannelly, Forrester, Jacumin,  
Preston, Purcell, Shaw, Snow

**PENSIONS, RETIREMENT & AGING**

**Upon Call of Chairman**

- Co-Chairman** Senator Dalton
- Co-Chairman** Senator Garrou
- Co-Chairman** Senator Hagan
- Members** Senators Albertson, Atwater, Bingham,  
Brock, Clodfelter, Cowell, Dorsett,  
East, Foriest, Forrester, Jenkins,  
Malone, Nesbitt, Purcell, Queen,  
Stevens, Swindell

**RULES AND OPERATIONS OF THE SENATE**

**Upon Call of Chairman**

- Chairman** Senator Rand
- Vice Chairman** Senator Dalton
- Members** Senators Albertson, Apodaca, Atwater,  
Berger of Rockingham, Brock,  
Brunstetter, Clodfelter, Dorsett,  
Forrester, Hartsell, Hoyle, Jones,  
Kinnaird, Nesbitt, Soles, Stevens,  
Swindell, Weinstein

**STATE & LOCAL GOVERNMENT**

**Tues-1027 LB-12:00 Noon**

- Co-Chairman** Senator East
- Co-Chairman** Senator Graham
- Vice Chairman** Senator Dorsett
- Members** Senators Albertson, Apodaca, Berger of  
Rockingham, Blake, Boseman,  
Brunstetter, Clodfelter, Hartsell, Jones,  
Malone, McKissick, Queen, Smith,  
Soles, Stevens

**TRANSPORTATION**

**Wed-1027 LB-11:00 AM**

- Chairman** Senator Shaw
- Vice Chairman** Senator Goss
- Vice Chairman** Senator Jenkins

**TRANSPORTATION**

(continued)

**Members****Wed-1027 LB-11:00 AM**

Senators Berger of Rockingham,  
Brown, Cowell, East, Goodall, Graham,  
Hunt, Kerr, McKissick, Preston, Queen,  
Rucho, Snow, Soles, Stevens, Swindell,  
Tillman, Weinstein

**WAYS AND MEANS****Chairman****Vice Chairman****Members****Upon Call of Chairman**

Senator Dannelly  
Senator Weinstein  
Senators Albertson, Allran, Atwater,  
Forrester, Hartsell, Hoyle, Hunt,  
Jenkins, Kerr, Malone, Swindell

**SELECT COMMITTEES****SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS****Chairman****Members****Upon Call of Chairman**

Senator Rand  
Senators Apodaca, Atwater, Clodfelter,  
Cowell, Dannelly, Forrester, Garrou,  
Hagan, Hoyle, Stevens

**SELECT COMMITTEE ON GOVERNMENT AND ELECTION REFORM****Co-Chairman****Co-Chairman****Members****Upon Call of Chairman**

Senator Clodfelter  
Senator Rand  
Senators Bingham, Berger of  
Franklin, Berger of Rockingham,  
Boseman, Cowell, Dannelly, Goss,  
Jones, Nesbitt, Soles, Stevens

**JOINT SELECT COMMITTEE ON ECONOMIC DEVELOPMENT****INCENTIVES****Co-Chairman****Co Chairman****Members****Upon Call of Chairman**

Senator Foriest  
Senator Hoyle  
Senators Brunstetter, Clodfelter,  
Cowell, Hagan, Hartsell, Jenkins, Kerr,  
Malone, McKissick, Soles

**JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS &  
DISASTER MANAGEMENT RECOVERY****Upon Call of Chairman****Co-Chairman**

Senator Nesbitt

**Vice Chairman**

Senator Boseman

**Vice Chairman**

Senator Malone

**Members**Senators Apodaca, Atwater, Brown,  
Dorsett, Goss, Hartsell, Jenkins, Jones,  
Kerr, Preston, Rand, Snow

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**SENATE STAFF****OFFICE OF THE PRESIDENT**

Lieutenant Governor	Beverly E. Perdue
Administrative Assistant	Sharon Nelson
Chief of Staff	Don Hobart
Receptionist	Sean Jenkins
Communications Director	Tim Crowley
General Counsel	Will Polk
Legislative Assistant	Anne Canady
Office Manager	Effie Jackson
Policy Director	Mike Arnold
Scheduler	Carol Young
Director of Public Liaison	Donice Harbor
Constituent Outreach Liaison	Alicia Johnson
Security	Trooper Jeff Rowan Trooper Gary Simpson

**OFFICE OF THE PRESIDENT *PRO TEMPORE***

President <i>Pro Tempore</i>	Marc Basnight
Chief of Staff	Amy Fulk
General Counsel	Beth Braswell
Director, Constituent Services	Suzell Crosswhite
Director, Citizen and Government Affairs	Angela Talton
Director, Boards and Commissions	Lea Dunn Tackett
Director, Special Projects	Chris Dillon
Director, Communications	Schorr Johnson
Director, Member Services and Legislative Research	Mary King
Director, Hispanic and Latino Affairs	Matty Lazo-Chadderton
Environmental Analyst	Katie Hall

**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	Amy Bason
Office Assistant	Judy Tardiff

**OFFICE OF THE SENATE REPUBLICAN LEADER**

Republican Leader	Phil Berger
Administrative Assistant	Darrell Malcolm
Legislative Assistant	Barbara Eldridge
Research Assistant	Cody Hand
Research Assistant	Sarah Clapp

**OFFICE OF THE PRINCIPAL CLERK**

Principal Clerk	Janet B. Pruitt
Administrative Clerks	Paul Curry
	Leigh Gipple
Assistants	Marty Carrara
	Jacob Daniel
	Charlotte Johnston
	Joan Jones
	Shirley Parker
	Mary Elizabeth Smith
	Peggy Telfair
	Susie Thompson
	Wayne White
Page Coordinator	Michael Perdue

**OFFICE OF THE SERGEANT-AT-ARMS**

Sergeant-at-Arms	Cecil Goins
Deputy Senate Sergeant-at-Arms	Martha S. Dunn
Assistants	
Wade Anders	George Robinson
Curtis Dowd	Ernie Sherrell
Jon P. Fitchett	Ronald Spann
Charles R. Harper	Richard Telfair
Stanley Johnson	Rochester White
Charles Marsalis	Leslie Wright
Mary Perry	Robert Young

**OFFICE OF LEGISLATIVE ASSISTANTS**

Director	Joyce Hodge
Administrative Assistant	Delta Prince

**READING CLERK**

Ted Harrison
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**SENATE LEGISLATIVE ASSISTANTS**

Irma Avent-Hurst	Senator Jones
Jessica Bennett	Senator Nesbitt
Gail Bishop	Senator Garrou
Janet Black	Senator Brock
Airen Blaine	Senator Apodaca
Lorraine Blake	Senator Purcell
Janet Blalock	Senator Soles
Rebecca Butler	Senator Snow
Phyllis Cameron	Senator Dorsett
Mary Watson Cannon	Senator Forrester
Suzanne Castleberry	Senator Preston
Judy Chriscoe	Senator Bingham
Sara Clapp	Senator P. Berger
Genie Clark	Senator Brunstetter
Evelyn Costello	Senator Rand
Brian Dalton	Senator Dalton
Bernie David-Yerumo	Senator McKissick
Cindy Davis	Senator Albertson
Kathy Davis	Senator Hunt
Andrew Dugan	Senator Garrou
Barbara Eldridge	Senator P. Berger
Susanne Erskine	Substitute
Mona Fitzgerald	Senator Soles
Nancy Fox	Senator Jacumin
Cindy Garrison	Senator Cowell
Carolyn Gooden	Senator Jenkins
Chardon Groveman	Senator Boseman
Susanne Gunter	Senator Brown
Peggy Halifax	Senator Pittenger
Yvonne Hall	Senator Tillman
Cody Hand	Senator P. Berger
Amber Harris	Senator Malone
Evelyn Hartsell	Senator Kerr
Becky Hedspeth	Senator Purcell
Jonathan Hill	Senator Smith
Barbara Hocutt	Substitute
Dee Hodge	Senator Dannelly
Tracey Holloway	Senator Graham
Laura Holt-Kabel	Senator Boseman
	Senator Cowell
Mo Hudson	Senator Swindell
Gerry Johnson	Senator Hartsell
Patti Johnson	Senator Jenkins
Wanda Joyner	Senator Clodfelter

Anna Kidd	Senator Blake
Maria Kinnaird	Senator Kinnaird
Linda Laton	Senator D. Berger
Joan Leatherman	Senator Soles
Barbara Lee	Senator Shaw
Jan Lee	Senator Nesbitt
Darrell Malcolm	Senator P. Berger
DeAnne Mangum	Finance
Jessica Macaluso	Senator Swindell
Nikki McDougald	Senator Shaw
Bonnie McNeil	Senator Malone
Daladier Miller	Education/Higher Education
	Pensions, Retirement and Aging
Ann Misenheimer	Senator East
Sarah Murphy	Substitute
Lisa Nelson	Senator Hagan
Barbara O'Sullivan	Senator Dalton
Claudette Parrish	Senator Nesbitt
Sherry Pearson	Senator Dorsett
Joseph Peele	Senator Jones
Barbara Perryman	Substitute
Nancy Pulley	Senator Goss
Will Quick	Senator Weinstein
Jackie Ray	Senator Foriest
Carol Resar	Senator Atwater
Kleist Rhodes	Senator Stevens
Jennifer Riggins	Senator Clodfelter
	Senator Stevens
Sylvia Sears	Senator Kerr
Ericka Shearin	Senator D. Berger
Sara Sheppard	Senator Queen
Elizabeth Slocum	Senator Goodall
Jason Smith	Senator Snow
Janet Sommer	Senator Hoyle
Vickie Spears	Senator Weinstein
Burwell Stark	Senator Smith
Judy Tardiff	Senator Rand
Carole Walker	Senator Allran
Steven Webb	Senator Hagan
Penny Williams	Senator Hoyle
Rebecca Wood	Senator Purcell
Kathie Young	Senator Kinnaird

**SENATE INTERNS 2008 SESSION**

Alexandra Boneck	Senator Basnight
Jim Ceresnak	Senator Apodaca
Matthew Cochran	Senator Stevens
Lauran-Kelly Devine	Senator Blake
Jeffery Dodson	Senator Dorsett
Thomas Doucette	Senator Foriest
Luke Farley	Senator Brock
Charles Francis	Senator Bingham
Sara Fender	Senator Hoyle
James Gheen	Senator D. Berger
Melissa Gwatney	Senator Graham
Mary Beth Hamerick	Senator Brown
Page Hixon	Senator Garrou
Michael Kelly	Senator Dalton
Alex Leiro	Senator Kinnaird
Adam Levy	Senator Preston
Matthew Lewis	Senator Rand
Jennifer Lundy	Senator Tillman
Danielle McAdaragh	Senator P. Berger
Nichole McGuinness	Senator Brunstetter
J'Leighsa Moore	Senator Shaw
Lawrence Moye	Senator Kerr
Jessica Nance	Senator Smith
Steven Newton	Senator Hartsell
Colin Okoye	Senator Malone
Adam Phillips	Senator Rand
Virginia Pleasants	Senator Garrou
Alexis Pugh	Senator Jones
Nicholas Tosco	Senator Clodfelter
Marsha Scott	Senator Kinnaird
Leland Slade	Senator Hagan
Meghan Spears	Senator Jenkins
Jennifer Stuck	Senator Forrester
Bethany Thomas	Senator Kinnaird
Jeremy Watson	Senator Goss
Bryan Weynand	Senator Pittenger
Patrick Wilson	Senator Albertson
Tyler Yonts	Senator Goodall

**SENATE CHAPLAIN**

The Reverend Mike Morris

**SENATE TAX COUNSEL**Sabra Faires

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**SENATE PAGES  
2008 SESSION**

To'shawn Adams, Gastonia  
Mike Aiken, Winston-Salem  
John Anderson, North Wilkesboro  
Morgan Anderson, Charlotte  
Kaitlyn Archer, Holly Springs  
Melissa Austin, Walkertown  
John Baker, Spruce Pine  
Kaitlyn Baker, Denton  
Kaylee Baker, Aberdeen  
Gavin Baldwin, Tipton  
Bree Barnes, Raleigh  
Kimba Barnes, Raleigh  
Sky Bass, White Lake  
William Bass, Charlotte  
Toy Beeninga, Summerfield  
Leigh Betancourt, Raleigh  
Alana Bethea, Charlotte  
Camilla Bethel, Raleigh  
LaQuita Blackmon, Greensboro  
Roman Blount, Greensboro  
Caroline Bodager, Durham  
Debrielle Boone, Zebulon  
Will Borden, Goldsboro  
Brianna Bowden, Raleigh  
Nick Bowden, Goldsboro  
Kevin Bradley, Raleigh  
Doug Brady, Jr., Morehead City  
Chase Brame, Stokesdale  
Nickolas Brantley, Salemburg  
Mycal Brickhouse, Fayetteville  
Jerrelle Brooks, Carthage  
Anna-Margaret Brown, Raleigh  
Joshua Cahoon, Salemburg  
Chandler Caldwell, Gastonia  
Lauren Calloway, Cary  
Sam Cates, Kenansville  
Albert Chang, Harrisburg  
Meisha Chestnut, Willow Springs  
Suzie Choe, Fayetteville  
Ronnie Clark, Cary  
Sarah Grace Clark, Raleigh  
Stephen Clark, Charlotte

Stephen Clark, Southern Pines  
Katrina Connor, Raleigh  
Sean Corcoran, New Bern  
Crosby Cordell, Charlotte  
Myles Cottingham,  
Fort Mill, South Carolina  
Alexis Craghead, Charlotte  
Adam Craven, Hope Mills  
Ryan Davenport, Summerfield  
Jani Davis, Star  
Rachel Dickey, Murphy  
Hillary Duff, New Bern  
Caroline Dunn, Raleigh  
Mitchell Dupere, Raleigh  
Dylan Eagle, Faith  
Crystal Edwards, Charlotte  
Will Edwards, Chadbourn  
Hayden Eldridge, Hickory  
Ellen Elmore, Goldsboro  
Thomas Elmore IV, Goldsboro  
Wyatt Eudy, Denver  
Patrick Evancho, Fuquay-Varina  
Katy Fanning, Fuquay-Varina  
Cam Farrar, High Point  
Erica Faulk, Carthage  
Herman Fernandez, Fayetteville  
Walker Flythe, Winston-Salem  
Mary Grace Fraley, Cherryville  
Kelly Frizzelle, Knightdale  
Morgan Gay, Rocky Mount  
Allie Glenn, Greensboro  
Jeremy Glenn, Stanley  
Lindsey Goodstat, Greensboro  
Kara Goray, Raleigh  
Cortney Graham, Charlotte  
Nicole Graham, Charlotte,  
Abigail Green, Waynesville  
Quenton Greene, Albemarle  
Stacey Groce, Wilkesboro  
Fia Grunwald, Durham  
Daniel Gunn, Burlington  
Carson Hadley, Raleigh

Alex Hardesty, Louisburg  
Sierra Hare, Salemburg  
Mitch Hargett III, Charlotte  
Sara Harling, Laurinburg  
Hailey Harris, Rougemont  
David Hasenauer, Raleigh  
Laura Hasenauer, Raleigh  
Ethan Henderson,  
Pollocksville  
Kelsey Herbst, Cary  
Lexi Hergeth, Apex  
Allyx Herring, Fayetteville  
Alan Heverly, Jr., Emerald Isle  
Parker Holland, Gastonia  
Grant Holmes, Sanford  
Jessie Holt, Raleigh  
Nathan Honaker, Raleigh  
TJ Hoyt, Hickory  
Adara Ingram, Fayetteville  
Stephen Ingram, Raleigh  
Derrick Inman, Raleigh  
Cameron James, Fuquay-Varina  
Janii James, Browns Summit  
Matt James, Raleigh  
Morgan Jeffreys, Goldsboro  
Kerry Johnson, Kipling  
Haley Jones, Raleigh  
Marilouise Jones, Raleigh  
Mary Joyner, Raleigh  
Lauren Kalin, Cary  
Kristine Kapatos, Raleigh  
Alexander Keith, Fayetteville  
Damond Kelly, Albemarle  
Jennie Kimel, Waynesville  
Chris Kimsey, High Point  
Stephen Kimsey, High Point  
Candice Kirk, Fayetteville  
Jasmine Kirk, Stedman  
Lashley Kirkman, Greensboro  
Cody Knight, Fuquay-Varina  
Josh Kramer, Whiteville  
Matt Lamers, Raleigh  
Charlie Laughlin, Greensboro  
Asia Leathers, Charlotte  
Chelsea Lee, Stem  
DJ Lester, Timberlake

Ilan Levine,  
Providence, Rhode Island  
Alan Little, Gastonia  
Taylor Long, Cherryville  
Yeya Love, Fuquay-Varina  
Iesha Lowery, Gastonia  
Graham Lucas, Raleigh  
Sophia Lucas, Carthage  
Grant Ludwig III, Raleigh  
Kira Lumsden, Cary  
Pierce Lynch, Chapel Hill  
Kelly Mansfield, Newport  
Victoria McAllister, Stem  
Nick McClelland, Knightdale  
Iam McCoy, Cramerton  
Diquan McGill, Raleigh  
Davette McLaurin, Stedman  
Haylee McLean, Willow Springs  
Jocelyn McPhatter, Salemburg  
Craig Meadors, Lewisville  
Donavon Merchant, Thomasville  
Jeff Miles, Cary  
Kristin Miller, Greensboro  
Sarah Miller, Rutherfordton  
Amanda Mintz, Wendell  
Nelson Moore, Nashville  
Elizabeth Morgan, Gastonia  
Elizabeth Moss, Youngsville  
Katie Murray, Winston-Salem  
Lacy Nance, Rutherfordton  
Kait Neeland, Harbinger  
Kathryn Nelson, New Bern  
Trevor Newman, Summerfield  
Jessie Nipp, Raleigh  
Leah Nobles, Raleigh  
Brian O'Bannon, Charlotte  
Madison Osborne, Salisbury  
Ory Owen, West Jefferson  
Caroline Owings, High Point  
Kevin Park, Cary  
Keristen Patterson, Burlington  
Anderson Phillips, Belmont  
Henry Pollitt, Raleigh  
Garrett Poole, Raleigh  
Savannah Posey, Raeford  
Hillary Poston, Morehead City

Mina Powell, Durham  
Lauren Pratt, Raleigh  
Cameron Privott, Rocky Mount  
Thomas Privott, Rocky Mount  
Will Purcell III, Laurinburg  
Hannah Rangel, Greensboro  
Sean Rankin, Dallas  
Kara Reece, Fayetteville  
Brandy Reeves, Raleigh  
Kristen Rice, Gastonia  
Randall Rine II, Salemburg  
Monica Rivera, Raeford  
Tanner Robbins, Greensboro  
William Rollings II, Fuquay-Varina  
John Rosser, Raleigh  
Willy Rowe, Raleigh  
Jake Roy, Hope Mills  
Zack Russell, Knightdale  
Gianna Salamido, Cary  
Baster Sapp, Greensboro  
Erin Schoenbeck,  
    Watertown, South Dakota  
Michael Scott, Morganton  
Katy Searcy, Morganton  
Kareem Shaw, Riegelwood  
Randi Simmons, Clarendon  
Cawood Simpson, Winston-Salem  
Saluum Simpson, Greensboro  
Gregory Skipper, Ocean Isle Beach  
Brad Smith, Lumberton  
Heather Smith, Gastonia  
Jake Smith, Wake Forest  
Jonathon Smith, Newport  
Reid Soles, Greensboro  
Patrick Speight, Nashville  
Taylor Spencer, Salemburg  
Si Statham, Greensboro  
Julius Stegall II, Zebulon  
Olivia Stinson, Charlotte  
Mary Catherine Stroupe,  
    Cherryville  
Tyler Sutherland, Raeford

Alex Swain, Durham  
Ben Thomas Taylor, Holly Springs  
Tiffany Tetterton, Winterville  
Katherine Thomas, Greensboro  
Natalie Thomas, Cary  
Ellisa Thompson, Frisco  
Josh Tillett, Sanford  
Lauren Toole, Belmont  
Jeremy Trevathan, Rocky Mount  
Caitlin Truelove, Raleigh  
Eli Turlington III, Clinton  
Carisse Turner, Charlotte  
Charlie Umstead, Jr., Goldsboro  
Georgia Van de Zande, Raleigh  
Immanuel Vinson, Raleigh  
Destiny Walters, Charlotte  
Maggie Weatherly, Greensboro  
Amandolin Webb, Oakboro  
Kaylynn Webb, Durham  
Lacey Webb, Rocky Mount  
Malik Webb, Wake Forest  
Shardai Webb, Wake Forest  
Dylan Webster, Garner  
Stephanie Weinstein,  
    Atlanta, Georgia  
Jaleisa Whitley, Charlotte  
Billy Wiggins, Gastonia  
Megan Wiley, Greensboro  
Branna Williams, North Wilkesboro  
Deja Williams, Charlotte  
Christin Wilson, Winston-Salem  
Haleigh Wilson, Winston-Salem  
Helen Wilson, Fuquay-Varina  
Adrian Womble, Lake Waccamaw  
Taylor Woolard, Washington  
Brice Wordsworth, Rocky Mount  
Mary Catherine Worley, Tabor City  
Sam Young, Greensboro  
Eldon Zacek III, Concord

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## PRESIDENT OF THE SENATE APPOINTMENTS

The following appointments to Boards and Commissions were made during 2008 by The Honorable Beverly Perdue, Lieutenant Governor and President of the Senate.

	Appointed	Expires
<b>INAUGURAL CEREMONIES</b>		
G.S. 143-533		
Ms. Jill Dinwiddie	11/13/2008	1/17/2009
Ms. Sissy Chestnut	11/13/2008	1/17/2009
The Hon. Eva Clayton	11/13/2008	1/17/2009
<b>NORTH CAROLINA BIOTECHNOLOGY CENTER, BOARD OF DIRECTORS</b>		
Bylaws-10/17/2000		
Dr. Victor Dzau	5/29/2008	6/30/2009
Ms. Lynne Scott Safrit	6/13/2008	6/30/2009
<b>NORTH CAROLINA BLUMENTHAL CENTER FOR PERFORMING ARTS FOUNDATION, BOARD OF TRUSTEES</b>		
Bylaws		
Mr. Richard T. Williams	1/10/2008	11/30/2010
<b>STATE CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD</b>		
G.S. 143B-273.6; SL93-534		
Ms. Monika Johnson Hostler	3/5/2008	7/30/2010
<b>NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION</b>		
G.S. 164-35; SL95-236		
Ms. Jill Jacobsen	9/2/2008	6/30/2009

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## SENATE PRESIDENT PRO TEMPORE APPOINTMENTS

The following appointments and recommendations to Boards and Commissions were made during 2008 by the Honorable Marc Basnight, President *Pro Tempore*.

President <i>Pro Tempore</i> Appointments	Appointed	Expires
<b>911 BOARD</b>		
G.S. 62-A-22; SL2007-383 sec. 1.(a); HB 1755		
Chief Robert Cherry	2/5/2008	12/31/2012
Mr. David Corn	2/5/2008	12/31/2014
Ms. Christi Lynn Derreberry	2/5/2008	12/31/2014
Mr. Wesley E. Reid	2/5/2008	12/31/2014
Mr. Slayton Stewart	2/5/2008	12/31/2014
Ms. Laura Sykora	2/5/2008	12/31/2012
<b>AFRICAN-AMERICAN HERITAGE COMMISSION</b>		
G.S. 143B-135(b)(2); SL2008-107		
Mrs. Sterling Benson Webster		6/30/2011
Mrs. Annie McCoy		6/30/2010
Ms. Frankie Day		6/30/2009
<b>AGING STUDY COMMISSION</b>		
G.S. 120-182		
Mr. John Eller	8/22/2008	6/30/2009
Mr. Anthony Peace	1/3/2008	6/30/2009
<b>ALARM SYSTEMS LICENSING BOARD</b>		
G.S. 74D-4; SL91-953		
Mr. Ralph Courtney Brown, Jr.	7/31/2008	6/30/2011
Mr. J. Richard Lee	7/31/2008	6/30/2011
<b>APPRAISAL BOARD</b>		
G.S. 93E-1		
Mr. Henry Egbert Faircloth	8/14/2008	6/30/2011
Ms. Sidney Jessup	9/10/2008	6/30/2011
<b>ARBORETUM BOARD OF DIRECTORS</b>		
G.S. 116-243(2); SL85-1014		
Mr. R. Michael Leonard	7/31/2008	6/30/2012
<b>ARTS EDUCATION (2007), JOINT SELECT COMMITTEE</b>		
G.S. 120-19.6; Letter of 01-10-2008-Sen Rule 31; House Rule 26(a)		
Sen. Katie G. Dorsett (Co-Ch)	1/18/2008	1/31/2009
Ms. Genieve Farmer	1/18/2008	1/31/2009

**President *Pro Tempore* Appointments      Appointed      Expires**

**ARTS EDUCATION (2007), JOINT SELECT COMMITTEE (continued)**

Sen. Linda D. Garrou	1/18/2008	1/31/2009
Sen. Jean R. Preston	1/18/2008	1/31/2009
Mrs. Debra S. Pylypiw	1/18/2008	1/31/2009
Sen. Joe Sam Queen	1/18/2008	1/31/2009
Sen. Jerry W. Tillman	1/18/2008	1/31/2009
Ms. Karen Wells	1/18/2008	1/31/2009

**ATHLETIC TRAINER EXAMINERS BOARD**

G.S. 90-524(b)(1)

Dr. Roy Alan Majors	7/31/2008	6/30/2011
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**AUTOMOBILE INSURANCE MODERNIZATION (2007), JOINT SELECT COMMITTEE**

G.S. 120-19.6(a1); Letter of 12-12-2007-Sen Rule 31; House Rule 26(a)

Sen. Tony Rand (Co-Ch)	1/3/2008	1/31/2009
Sen. Thomas M. Apodaca	1/16/2008	1/31/2009
Sen. Harry Brown	1/3/2008	1/31/2009
Sen. Linda D. Garrou	1/3/2008	1/31/2009
Hon. James E. Long	1/3/2008	1/31/2009
Sen. Vernon Malone	1/3/2008	1/31/2009
Mr. Jeffrey D. Null	1/3/2008	1/31/2009
Ms. Amy Powell	1/3/2008	1/31/2009
Sen. R. C. Soles, Jr.	1/3/2008	1/31/2009
Sen. Richard C. Stevens	1/3/2008	1/31/2009
Sen. A. B. Swindell IV	1/16/2008	1/31/2009

**BLOUNT STREET HISTORIC DISTRICT OVERSIGHT COMMITTEE**

SL2003-404 sec. 3(b)(3)

Mrs. Linda Edmisten	1/15/2008	7/1/2011
Mrs. Judy Hunt	1/15/2008	7/1/2011

**BOXING ADVISORY COMMISSION**

G.S. 143-652.2; SL2007-528 sec. 1; SB 692

Mr. Bias Melton Edge, Jr.	2/21/2008	6/30/2010
Dr. Sara Neal	2/21/2008	6/30/2008

**CAPITAL IMPROVEMENTS, JOINT LEGISLATIVE OVERSIGHT COMMITTEE**

G.S. 120-258; SL2002-126 sec. 29.3

Sen. Joe Sam Queen	1/31/2008	1/24/2009
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**President *Pro Tempore* Appointments      Appointed      Expires**

**CAPITAL FACILITIES FINANCE AGENCY.**

G.S. 115E-4(a)

Mr. Dennis M. Walters	7/31/2008	3/1/2012
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**CAPITAL TRIAL, SENTENCING, AND POST CONVICTION PROCEDURES FOR PERSONS WHO SUFFER SEVERE MENTAL DISABILITIES, JOINT SELECT COMMITTEE**

G.S. 26(a); Rule 31

Sen. Ellie Kinnaird (Co-Ch)	12/9/2008	1/27/2009
Sen. Stan Bingham	12/9/2008	1/27/2009
Sen. Charlie Dannelly	12/9/2008	1/27/2009
Sen. Fletcher Hartsell	12/9/2008	1/27/2009
Sen. Ed Jones	12/9/2008	1/27/2009

**CHILD CARE COMMISSION**

G.S. 143B-168.4; SL91-273

Ms. Margaret Anne Biddle	7/31/2008	6/30/2010
Ms. Lorrie Looper	7/31/2008	6/30/2010

**CHILDREN AND YOUTH. JOINT, LEGISLATIVE OVERSIGHT COMMITTEE**

G.S. 120-215

Sen. Eleanor G. Kinnaird (Co-Ch)	3/25/2008	1/27/2009
Sen. Robert C. Atwater	3/25/2008	1/27/2009
Sen. Doug Berger	3/25/2008	1/27/2009
Mrs. Barbara Bradley	3/25/2008	1/27/2009
Ms. Helen T. Brantley PhD	3/25/2008	1/27/2009
Ms. Mia Day Burroughs	3/25/2008	1/27/2009
Mrs. Selena Berrier Childs	3/25/2008	1/27/2009
Mr. John Cox	3/25/2008	1/27/2009
Mr. Johnnie Ray Farmer	4/1/2008	1/27/2009
The Hon. H. Paul McCoy, Jr.	3/25/2008	1/27/2009
Sen. John J. Snow, Jr.	3/25/2008	1/27/2009
Sen. Richard C. Stevens	3/25/2008	1/27/2009
Ms. Rebecca Troutman	3/25/2008	1/27/2009

**CONSUMER AND ADVOCACY ADVISORY COMMITTEE FOR THE BLIND**

G.S. 143B-163; SL91-1030

Sen. William R. Purcell	1/4/2008	6/30/2009
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**CONSUMER AND FAMILY ADVISORY COMMITTEE**

G.S. 122C-171

Mr. Zachariah Commander	7/1/2008	6/30/2011
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**President *Pro Tempore* Appointments      Appointed      Expires**

**COSMETIC ART EXAMINERS BOARD**

G.S. 88-13

Mr. Jim Conrad	7/30/2008	6/30/2010
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**DIETETICS/NUTRITION BOARD**

G.S. 90-353; SL91-668

Dr. Joye K. Willcox	7/31/2008	6/30/2011
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**DISPUTE RESOLUTION COMMISSION**

G.S. 7A-38.2(C)

Mr. J. Anderson Little	7/30/2008	6/30/2011
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**DOMESTIC VIOLENCE COMMISSION**

G.S. 143B-394.15; SL1999-237 sec. 24.2b

The Hon. Valerie Asbell	9/1/2008	8/31/2010
Mr. David Badger	9/1/2008	8/31/2010
Sen. Doug Berger	9/1/2008	8/31/2010
The Hon. J. Thomas Davis	9/1/2008	8/31/2010
Sgt. John Guard	9/1/2008	8/31/2010

**DROPOUT PREVENTION COMMITTEE**

SL2007-323 sec. 7.32.(c)

Mr. William W. Farmer Jr.(Co-Ch)	8/4/2008	12/31/2010
Ms. Lisa Daye	8/4/2008	12/31/2010
Ms. Margaret A. Ellis	8/4/2008	12/31/2010
Mr. Johnny Mack Gibbs	8/4/2008	12/31/2010
Dr. Zoe Woodell Locklear	8/4/2008	12/31/2010

**ECONOMIC DEVELOPMENT INCENTIVES (2007), JOINT SELECT COMMITTEE**

G.S. 120-19.6; Letter of 03-02-2007-Sen Rule 31; House Rule 26(a)

Sen. Jean R. Preston	1/23/2008	1/31/2009
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**ECONOMIC DEVELOPMENT BOARD**

G.S. 143B-434

Sen. Walter H. Dalton	8/27/2008	6/30/2012
Sen. Fletcher L. Hartsell, Jr.	8/27/2008	6/30/2012
Sen. Clark S. Jenkins	8/27/2008	6/30/2009

**EDUCATION OVERSIGHT, JOINT LEGISLATIVE COMMITTEE**

G.S. 120-70.80

Sen. Katie G. Dorsett	1/23/2008	1/31/2009
Sen. Joe Sam Queen	1/23/2008	1/31/2009



**President *Pro Tempore* Appointments      Appointed      Expires**

**ELECTROLYSIS EXAMINERS BOARD**

G.S. 88A-5; SL89-1033

Ms. Margaret Wingate	9/1/2008	8/31/2011
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**EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL**

G.S. 143-510; SL91-739

Dr. Steven Edward Landau	7/30/2008	6/30/2012
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**EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY**

SL2008-181

Sen. Martin Nesbitt (Co-Ch)	9/11/2008	12/31/2009
Sen. Tom Apodaca	9/11/2008	12/31/2009
Sen. Bob Atwater	9/11/2008	12/31/2009
Sen. Julia Boseman	9/11/2008	12/31/2009
Sen. Harry Brown	9/11/2008	12/31/2009
Sen. Katie Dorsett	9/11/2008	12/31/2009
Sen. Steve Goss	9/11/2008	12/31/2009
Sen. Fletcher Hartsell	9/11/2008	12/31/2009
Sen. Clark Jenkins	9/11/2008	12/31/2009
Sen. Ed Jones	9/11/2008	12/31/2009
Sen. John Kerr	9/11/2008	12/31/2009
Sen. Vernon Malone	9/11/2008	12/31/2009
Sen. Jean Preston	9/11/2008	12/31/2009
Sen. Tony Rand	9/11/2008	12/31/2009
Sen. John Snow	9/11/2008	12/31/2009

**EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE**

G.S. 135-38

Sen. Linda D. Garrou	4/18/2008	1/15/2009
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**ENVIRONMENTAL REVIEW COMMISSION**

G.S. 120-70.41; SL1997-31

Sen. Fletcher L. Hartsell, Jr.	1/16/2008	1/31/2009
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**BOARD OF FUNERAL SERVICES**

G.S. 90-210.18; SL91-901

George S. Parrott	1/1/2009	12/31/2011
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**FUTURE OF THE NORTH CAROLINA RAILROAD STUDY COMMISSION**

G.S. 120-245

Sen. Harry Brown	1/22/2008	1/19/2009
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**President Pro Tempore Appointments      Appointed      Expires****GEOGRAPHIC INFORMATION COORDINATING COUNCIL**

G.S. 143-725; SL2001-359

Mr. John M. Gillis, Jr.	8/8/2008	5/31/2009
Ms. Kelly Laughton	8/8/2008	5/31/2009
Mr. Richard N. Taylor	8/8/2008	5/31/2009

**GOLDEN L.E.A.F (LONG-TERM ECONOMIC ADVANCEMENT FOUNDATION) CORPORATION, INC.**

SL1999-2; Consent Decree-98CVS14377

Mrs. Debbie E. Worley	4/23/2008	11/30/2009
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**GOVERNMENTAL IMMUNITY (2007), JOINT SELECT COMMITTEE**

G.S. 120-19.6(a1); Letter of 03-03-2008-House Rule 26(a); Sen Rule 31

Sen. Tony Rand (Co-Ch)	3/4/2008	12/31/2008
Sen. Robert C. Atwater	3/4/2008	12/31/2008
Sen. Philip E. Berger	4/2/2008	12/31/2008
Sen. Peter S. Brunstetter	3/4/2008	12/31/2008
Sen. Don W. East	3/4/2008	12/31/2008
Sen. Malcolm Graham	3/4/2008	12/31/2008
Sen. Eleanor G. Kinnaird	3/4/2008	12/31/2008

**GOVERNOR'S COMMISSION ON EARLY CHILDHOOD VISION CARE**

G.S. 143B-216.67; SL2005-276 sec. 10.59F(d)

Dr. William O. Young	3/28/2008	8/31/2009
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**HEALTH AND WELLNESS TRUST FUND COMMISSION**

G.S. 147-86.32; SL2000-147 sec. 2

Mr. Christopher Black	9/10/2008	6/30/2012
Mr. Robert S. Parker	4/1/2008	6/30/2011
Dr. William L. Roper	9/10/2008	6/30/2012

**HIGHER EDUCATION CIVIC EDUCATION STUDY COMMISSION (2007)**

SL2008-181 sec. 48

Sen. Tony Rand (Co-Ch)	10/1/2008	1/31/2009
Ms. Shari Galiardi	10/1/2008	1/31/2009
Mr. Brandon Hickman	10/1/2008	1/31/2009
Ms. Jenny Huq	10/1/2008	1/31/2009
Dr. Leo Lambert	10/1/2008	1/31/2009
Sen. Joe Sam Queen	10/1/2008	1/31/2009
Sen. Richard C. Stevens	10/1/2008	1/31/2009
Sen. A. B. Swindell IV	10/1/2008	1/31/2009

**President *Pro Tempore* Appointments      Appointed      Expires**

**HOSPITAL INFECTION CONTROL AND DISCLOSURE (2007), JOINT STUDY COMMITTEE**

G.S. 120-19.6(a1); Letter of 04-02-2008-Sen Rule 31; House Rule 26(a)

Sen. William R. Purcell (Co- Ch)	4/29/2008	12/31/2008
Sen. Doug Berger	4/2/92008	12/31/2008
Ms. Robin Carver	4/29/2008	12/31/2008
Mr. Jay Currin	4/29/2008	12/31/2008
Dr. Keith Ramsey	4/29/2008	12/31/2008
Dr. Dan Sexton	4/29/2008	12/31/2008

**HOST STATE COMMITTEE FOR THE 2009 ANNUAL CONFERENCE OF THE SOUTHERN LEGISLATIVE CONFERENCE**

G.S. 120-19.6; Sen Rule 31; House Rule 26(a)

Sen. Jerry W. Tillman	1/16/2008	
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**HOUSING PARTNERSHIP**

G.S. 122E-4; SL91-959

The Hon. Ted Alexander	9/1/2008	8/31/2011
Mr. Tom Smith	9/1/2008	8/31/2011
Ms. Sallie Surface	9/1/2008	8/31/2011
Ms. Jeanne C. Tedrow	9/1/2008	8/31/2011
Ms. Rita Thuot	9/1/2008	8/31/2011

**HOUSING (2007), JOINT STUDY COMMITTEE**

G.S. 120-19.6(a1); Letter of 04-01-2008-Sen Rule 31; House Rule 26(a)

Sen. Joe Sam Queen (Co-Ch)	4/2/2008	12/31/2008
Sen. Tony Rand (Co-Ch)	4/2/2008	12/31/2008
The Hon. Terry M. Bellamy	4/2/2008	12/31/2008
Mr. Brian D. Coyle	4/2/2008	12/31/2008
Ms. Elizabeth Cubler	4/2/2008	12/31/2008
Sen. Katie G. Dorsett	4/2/2008	12/31/2008
Mr. Chris Estes	4/2/2008	12/31/2008
Sen. James S. Forrester	4/2/2008	12/31/2008
Sen. Eleanor G. Kinnaird	4/2/2008	12/31/2008
Sen. Floyd B. McKissick, Jr.	4/2/2008	12/31/2008

**INAUGURAL CEREMONIES**

G.S. 143-533

Sen. Katie G. Dorsett	9/11/2008	1/15/2009
Sen. Vernon Malone	9/11/2008	1/15/2009
Sen. Tony Rand	9/11/2008	1/15/2009

**INDIGENT DEFENSE SERVICES COMMISSION**

G.S. 7A-498.4; SL2000-144 sec. 1

Mr. Sean P. Devereux	9/1/2008	8/31/2012
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**President Pro Tempore Appointments      Appointed      Expires****INFORMATION TECHNOLOGY ADVISORY BOARD**

G.S. 147-33.72G; SL2004-129 sec. 2

Dr. Steve S. Rao	10/16/2008	9/30/2010
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**INFORMATION TECHNOLOGY JOINT LEGISLATIVE OVERSIGHT COMMITTEE**

G.S. 120-230; SL1999-237 sec. 22a

Sen. Tony Foriest	1/29/2008	1/15/2009
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**IRRIGATION CONTRACTORS LICENSING BOARD**

G.S. 89G-4(a)(3); SL2008-177 sec. 1

Mr. Lindsey R. Griffin	10/21/2008	9/20/2011
Mr. W. Charles Nieman	10/20/2008	9/30/2009

**LICENSING OF SOIL SCIENTISTS BOARD**

G.S. 89F-4; SL95-414

Mr. Edward Hearn	8/5/2008	6/30/2011
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**LOCAL GOVERNMENT COMMISSION**

G.S. 159-3; SL95-490

Mr. John H. Zollicoffer, Jr.	3/25/2008	6/30/2009
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**LOCAL SOCIAL SERVICES ISSUES (2007), JOINT STUDY COMMITTEE**

G.S. 120-19.6(a1); Letter of 05-02-2008-Sen Rule 31; House Rule 26(a)

Sen. Doug Berger (Co-Ch)	5/9/2008	12/31/2008
Ms. Nancy J. Coston	5/9/2008	12/31/2008
Sen. Charlie Smith Dannelly	5/9/2008	12/31/2008
Sen. Steve Goss	5/9/2008	12/31/2008
Sen. Floyd B. McKissick, Jr.	5/9/2008	12/31/2008
Sen. Jean R. Preston	5/9/2008	12/31/2008

**MANDATORY BOATING SAFETY EDUCATION (2007), JOINT SELECT COMMITTEE**

G.S. 120-19.6; Letter of 10-15-2008-Sen Rule 31; House Rule 26(a)

Sen. Edward W. Jones (Co-Ch)	10/15/2008	1/31/2009
Sen. Doug Berger	10/15/2008	1/31/2009
Mr. Pete Deschenes	10/15/2008	1/31/2009
Mr. Grover L. Edwards Sr.	10/15/2008	1/31/2009
Mr. J. Rives Manning Jr.	10/15/2008	1/31/2009
Sen. Jean R. Preston	10/15/2008	1/31/2009
Mr. James Ward	10/15/2008	1/31/2009

**President Pro Tempore Appointments      Appointed      Expires****MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND  
SUBSTANCE ABUSE SERVICES COMMISSION**

G.S. 143B-147; SL93-396

Mr. James L. Pittman	7/30/2008	6/30/2011
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**MILITARY AND VETERANS' AFFAIRS (2007), JOINT STUDY  
COMMITTEE**

G.S. 120-19.6(a1); Letter of 04-02-2008-Sen Rule 31; House Rule 26(a)

Sen. Robert C. Atwater (Co-Ch)	4/16/2008	1/31/2009
Sen. Tony Rand (Co-Ch)	4/16/2008	1/31/2009
Sen. Harry Brown	4/16/2008	1/31/2009
Sen. Tony Foriest	4/16/2008	1/31/2009
Sen. Edward W. Jones	4/16/2008	1/31/2009
Sen. John H. Kerr III	4/16/2008	1/31/2009
RADM (Ret) L. F. Norton	4/16/2008	1/31/2009
Sen. Jean R. Preston	4/16/2008	1/31/2009

**MINORITY HEALTH ADVISORY COUNCIL**

G.S. 130A-33.44

Sen. Charlie Dannelly	11/12/2008	6/30/2010
Sen. William Purcell	11/12/2008	6/30/2010

**MUNICIPAL ANNEXATION (2007), JOINT LEGISLATIVE STUDY  
COMMISSION**

SL2008-181 sec. 46.1(1)

Sen. Vernon Malone (Co-Ch)	9/16/2008	1/31/2009
Sen. R. C. Soles, Jr. (Co-Ch)	9/16/2008	1/31/2009
Sen. Austin M. Allran	9/16/2008	1/31/2009
Mr. Ben Campen	9/16/2008	1/31/2009
Sen. Daniel G. Clodfelter	9/16/2008	1/31/2009
Sen. Don W. East	9/16/2008	1/31/2009
Sen. Tony Foriest	9/16/2008	1/31/2009
Sen. Steve Goss	9/16/2008	1/31/2009
Sen. Malcolm Graham	9/16/2008	1/31/2009
Ms. Tina Hall	9/16/2008	1/31/2009
Chief Freddy Johnson Sr.	9/16/2008	1/31/2009
Sen. Joe Sam Queen	9/16/2008	1/31/2009
Sen. Tony Rand	9/16/2008	1/31/2009
Ms. Beth Trahos	9/16/2008	1/31/2009

**NATIONAL GUARD PENSION FUND STUDY COMMISSION (2007)**

SL2008-181 sec. 45.1

Sen. Robert C. Atwater (Co-Ch)	10/16/2008	1/31/2009
Sen. W. Edward Goodall	10/16/2008	1/31/2009

**President Pro Tempore Appointments      Appointed      Expires****NATIONAL GUARD PENSION FUND STUDY COMMISSION (2007)**

(continued)

Sen. Edward W. Jones	10/16/2008	1/31/2009
Sen. Martin L. Nesbitt, Jr.	10/16/2008	1/31/2009
Sen. Jean R. Preston	10/16/2008	1/31/2009

**PARKS AND RECREATION AUTHORITY**

G.S. 143B-313.1; SL95-456

Mr. Walter Israel	8/1/2008	7/1/2011
Ms. Cynthia M. Tart	8/1/2008	7/1/2011

**PARTITION SALES STUDY COMMITTEE (2007)**

SL2008-181 sec. 42.1

Sen. Robert C. Atwater (Co-Ch)	10/24/2008	3/1/2009
Sen. Charles W. Albertson	10/24/2008	3/1/2009
Sen. Philip E. Berger	10/24/2008	3/1/2009
Mr. David H. Harris, Jr.	10/24/2008	3/1/2009
The Hon. Richard E. Hunter, Jr.	10/24/2008	3/1/2009
Sen. Edward W. Jones	10/24/2008	3/1/2009
Mr. Gregory C. Malhoit	10/24/2008	3/1/2009
Ms. Pamela Thombs	10/24/2008	3/1/2009
Sen. David F. Weinstein	10/24/2008	3/1/2009

**PARTNERSHIP FOR CHILDREN, INC., BOARD OF DIRECTORS**

G.S. 143B-168.12

Dr. C. Lorance Henderson	4/16/2008	12/31/2010
Ms. Marie D. Inscore	4/16/2008	12/31/2010
Ms. Tannis F. Nelson	4/15/2008	12/31/2010

**POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY (2007), JOINT SELECT STUDY COMMITTEE**

G.S. 120-19.6(a1); Letter of 09-05-2008-Sen Rule 31; House Rule 26(a)

Sen. Tony Rand (Co-Ch)	9/5/2008	1/31/2009
Sen. Doug Berger	9/5/2008	1/31/2009
Sen. Peter S. Brunstetter	9/5/2008	1/31/2009
Mr. Donald Evans	9/5/2008	1/31/2009
Mr. Dean Hardison	9/15/2008	1/31/2009
Sen. Fletcher L. Hartsell, Jr.	9/5/2008	1/31/2009
Ms. Norma Houston	9/15/2008	1/31/2009
Sen. Edward W. Jones	9/5/2008	1/31/2009
Mr. Randy Krauss	9/5/2008	1/31/2009
The Hon. James E. Long	9/5/2008	1/31/2009
Mr. Lee Morton	9/5/2008	1/31/2009

**President *Pro Tempore* Appointments      Appointed      Expires**

**POTENTIAL IMPACT OF MAJOR HURRICANES ON THE NORTH CAROLINA INSURANCE INDUSTRY (2007), JOINT SELECT STUDY COMMITTEE (continued)**

Sen. Jean R. Preston	9/5/2008	1/31/2009
Sen. John J. Snow, Jr.	9/5/2008	1/31/2009
Sen. R. C. Soles, Jr.	9/5/2008	1/31/2009

**POVERTY REDUCTION AND ECONOMIC RECOVERY LEGISLATIVE STUDY COMMISSION**

SL2008-181 sec. 41.1(a)

Sen. Joe Sam Queen	11/17/2008	Final Report
Sen. Ed Jones	11/17/2008	Final Report
Sen. Doug Berger	11/17/2008	Final Report
Sen. Don East	11/17/2008	Final Report
Sen. Steve Goss	11/17/2008	Final Report
Sen. Floyd McKissick	11/17/2008	Final Report
Sen. David Weinstein	11/17/2008	Final Report
Ms. Elyse Cochran	11/17/2008	Final Report
Mr. Zeno Edwards	11/17/2008	Final Report
Mr. James C. Beasley	11/17/2008	Final Report

**PRIVATE PROTECTIVE SERVICES BOARD**

G.S. 74C-4; SL94-ES24

Mr. Richard B. Allen	8/1/2008	6/30/2011
The Hon. Ronald W. Burris	8/1/2008	6/30/2011
Mr. Richard Jenkins	8/1/2008	6/30/2008

**PROFESSIONAL TEACHING STANDARDS COMMISSION**

G.S. 115C-295.1; SL93-740

Mr. David Corsetti	9/11/2008	8/31/2012
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**PROGRAM EVALUATION OVERSIGHT, JOINT LEGISLATIVE**

G.S. 120-36.15

Sen. Charles W. Albertson	1/22/2008	1/31/2009
Sen. Peter S. Brunstetter	8/7/2008	1/31/2009

**PUBLIC SCHOOL FUNDING FORMULAS (2007), JOINT LEGISLATIVE STUDY COMMITTEE**

G.S. 120-19.6; SL2007-345 sec. 5.3; Letter of 11-27-2007-Sen. Rule 31; House Rule 26(a)

Sen. Peter S. Brunstetter	1/18/2008	1/31/2009
Sen. Charlie Smith Dannelly	1/18/2008	1/31/2009

**REAL ESTATE COMMISSION**

G.S. 93A-3; SL93-419

Mrs. Marsha H. Jordan	8/1/2008	7/31/2011
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**President *Pro Tempore* Appointments      Appointed      Expires**

**STATE WATER INFRASTRUCTURE COMMISSION**

G.S. 159G-65; SL2005-454 sec. 3

Mr. Bill Holman	2/25/2008	1/12/2010
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**STREET GANG PREVENTION (2007), SENATE SELECT COMMITTEE**

G.S. 120-19.6(a1); Letter of 02-11-2008-Senate Rule 31

Sen. Charles W. Albertson	2/11/2008	5/1/2008
Sen. Julia C. Boseman	2/11/2008	5/1/2008
Sen. Daniel G. Clodfelter	3/13/2008	5/1/2008
Sen. Malcolm Graham	2/11/2008	5/1/2008
Sen. Vernon Malone	2/11/2008	5/1/2008
Sen. John J. Snow, Jr.	2/11/2008	5/1/2008

**TEACHING FELLOWS COMMISSION**

G.S. 115C-363.23

Mrs. Lonnia Hoyle Beam	8/7/2008	6/30/2012
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**TOBACCO TRUST FUND COMMISSION**

G.S. 143-717; SL2000-147 sec. 3

Mr. Al J. Leonard	7/1/2008	6/30/2012
Mr. Dan Ward	7/1/2008	6/30/2012

**TRAVEL AND TOURISM BOARD**

G.S. 143B-434.1; SL91-959

Sen. Walter H. Dalton	1/9/2008	12/31/2008
Ms. Teresa Damiano	1/9/2008	12/31/2008
Mrs. Penny Leary-Smith	2/22/2008	12/31/2008
Mr. Thomas M. Pashley	1/9/2008	12/31/2008
Sen. A. B. Swindell IV	1/9/2008	12/31/2008

**VOCATIONAL REHABILITATION COUNCIL**

G.S. 143-548; SL93-248

Dr. Kacie Blalock	9/3/2008	6/30/2011
Mr. Mark Ezzell	9/3/2008	6/30/2011
Mrs. Lucy Wong Hernandez	9/3/2008	6/30/2011
Mr. F. Michael Maybee	9/3/2008	6/30/2010

**WELL CONTRACTORS CERTIFICATION COMMISSION**

G.S. 143B-301.11

Mr. A. M. Demarest	8/6/2008	6/30/2010
Mr. Chris Dickey	8/6/2008	6/30/2010

**WESTERN NORTH CAROLINA REGIONAL ECONOMIC DEVELOPMENT COMMISSION (ADVANTAGEWEST NORTH CAROLINA)**

G.S. 158-8.1

Ms. Elizabeth Miller	1/28/2008	6/30/2009
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**President *Pro Tempore* Appointments      Appointed      Expires****ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY  
COMMITTEE (2007)**

G.S. 120-19.6(a1); Letter of 03-03-2008-Sen Rule 31; House Rule 26(a)

Sen. Peter S. Brunstetter (Co-Ch)	4/18/2008	12/31/2008
Mr. F. Cooper Brantley	4/18/2008	12/31/2008
Sen. Katie G. Dorsett	4/18/2008	12/31/2008
The Hon. James T. Fain III	4/18/2008	12/31/2008
Sen. Edward W. Jones	4/18/2008	12/31/2008
Ms. Lynn Davis Minges	4/18/2008	12/31/2008
Mr. Walker B. Moffitt	4/18/2008	12/31/2008
The Hon. William G. Ross Jr.	4/18/2008	12/31/2008
Sen. Jerry W. Tillman	4/18/2008	12/31/2008
Sen. David F. Weinstein	4/18/2008	12/31/2008
Mr. Russell H. Williams	4/18/2008	12/31/2008

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S 1783	UNC-A Funds/Carmichael Hall (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	62.
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 392, 403, 414, 415,  
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1642, 1643, 1644, 1656, 1657, 1658, 1659, 1660,  
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Beaufort, Camden, Currituck,  
**Dare**, Hyde, Pasquotank,  
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**BLADEN COUNTY**—District 19—Senator Tony Rand

**BLAKE, SENATOR HARRIS**..... **22nd District**—Harnett, Moore.

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Co-Sponsor ..... 1580, 1581, 1595, 1596, 1608, 1657, 1849, 1857,  
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S 1825 HEBOC Reporting and Meeting Requirements  
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 S 1602 Caswell Beach/Building Height Limit  
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 S 1688 Holden Beach No-Wake Zone  
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District 49—Senator Martin Nesbitt, Jr.

**BURKE COUNTY**—District 44—Senator Jim Jacumin

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**CATAWBA COUNTY**—District 42—Senator Austin Allran

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S 1799	DMV Record Checks and License Changes (S.L. 2008-202.) .....	65, 134, 358, 372, 517, 534, 574, 727.
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- S 1842 Chapel Hill Energy Efficiency  
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- H 2579 Chapel Hill Historic Structures  
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- S 1947 Chapel Hill Payment-in-Lieu Recreational Facilities  
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- H 2580 Chapel Hill Payment-in-Lieu Recreational Facilities  
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- S 2123 Charitable Solicitations/Durham  
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H 359	Promote Voting by High School Students (Conference Committee) .....	545, 568, 582, 604, 610, 684, 691, 696.
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- S 1923 Delay Solid Waste Tax Effective Date  
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S 1892	Autism Committee Recommendations (H Health Com) .....	82, 93, 99, 269, 299.
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S 2052	Department of Defense/Certified Child Care Facility (Appropriations/Base Budget Com) .....	121.
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S 2075	Economic Development Modifications (S.L. 2008-147.) .....	125, 300, 315, 547, 579, 626, 716.
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S 1799 DMV Record Checks and License Changes (S.L. 2008-202.) .....	65, 134, 358, 372, 517, 534, 574, 727.
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S 1698 Express Permitting Review Program (Finance Com).....	47, 189.
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S 1314 Massage and Bodywork Therapy Act Amended (S.L. 2008-224.) .....	441, 456, 486, 500, 731.
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S 1617 Special Plate for the Given Memorial Library (Finance Com).....	25.
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S 1936 Underground Storage Tank Program Amendments-2008 (Finance Com).....	90, 269, 270.

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S 1879	Drought/Water Management Recommendations (Agriculture/Environment/Natural Resources Com) .....	80.
H 2499	Drought/Water Management Recommendations (S.L. 2008-143.) .....	530, 550, 572, 583, 604, 690, 715.
H 517	Fleeing Accident Scene/Increase Penalty (Appropriations/Base Budget Com) .....	158.
S 1795	Irrigation Contractors Licensure/Fees (Finance Com).....	64.
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S 1633	Prosthetist/Orthotist/Pedorthist Licensure (Commerce, Small Business and Entrepreneurship Com) .....	30.
S 1788	Regulate Dangerous Animals (Judiciary I Com).....	63.
H 822	Swine Farm Siting Act Amendments (H Rules, Calendar, and Operations of the House Com).....	414, 430, 456.
S 1697	Toll Enforcement Authority Changes (S.L. 2008-225.) .....	47, 189, 358, 371, 390, 517, 530, 578, 625, 731.
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**INTEREST [G.S. 24]**

H 2188 Earlier Notification of Mortgage Servicer Fee  
 (S.L. 2008-227.) .....291, 381, 392, 402,  
 447, 731.

H 2463 Regulate Mortgage Servicers  
 (S.L. 2008-228.) .....312, 333, 357, 371,  
 391, 418, 732.

**IREDELL COUNTY—District 36—Senator Fletcher Hartsell  
 District 41—Senator James Forrester  
 District 42—Senator Austin Allran**

S 2069 Electing Counties/Hold Harmless  
 (Appropriations/Base Budget Com) .....124.

H 2738 Electing Counties/Hold Harmless  
 (S.L. 2008-69.) .....262, 346, 369, 398,  
 419.

H 2468 Iredell Contracts  
 (S.L. 2008-67.) .....291, 346, 369, 398,  
 418.

H 2765 Statesville/Mooresville Deannexation  
 (S.L. 2008-32.) .....252, 260, 274, 296,  
 319, 330.

H 2585 Various Cities Satellite Annexations  
 (S.L. 2008-30.) .....230, 260, 274, 296,  
 318, 330.

**IRRIGATION CONTRACTORS [G.S. 89G]**

- S 1795 Irrigation Contractors Licensure/Fees  
(Finance Com).....64.
- H 2353 Irrigation Contractors Licensure/Fees  
(S.L. 2008-177.) .....291, 479, 511, 575,  
721.

**JACKSON COUNTY—District 50—Senator John Snow, Jr.**

- H 2121 Jackson County Road Hunting  
(S.L. 2008-18.) .....201, 257, 276, 293,  
319.
- H 2122 Jackson County/No Shining Light on Deer  
(S.L. 2008-19.) .....201, 257, 277, 293,  
319.

**JACUMIN, SENATOR JIM ..... 44th District—Burke, Caldwell.**

- Absent of Leave .....71, 691 (portion).
- Bills and Resolutions—(Senate Bills)
- Primary Sponsor ..... 1838, 2069, 2099.
- Co-Sponsor ..... 1595, 1596, 1608, 1657, 1757, 1830, 1849, 1857,  
1858, 1860, 1861, 1863, 1961, 1967, 2019, 2026,  
2033, 2036, 2063, 2087, 2088, 2098, 2109, 2162,  
2165, 2166, 2168.

**JENKINS, SENATOR S. CLARK ..... 3rd District—Edgecombe,**

- Martin, Pitt (part).
- Absent of Leave ..... 177 (portion), 214, 223, 231, 238, 247,  
319 (portion), 543 (portion), 605 (portion), 619.
- Adjournment Motion—Second.....150.
- Committee Assignments—
- Conference .....248, 408, 604.
- Paired Votes—
- H 2690 Durham County Meals Tax .....544.
- Bills and Resolutions—(Senate Bills)
- Primary Sponsor ..... 1605, 1695, 1696, 1697, 1698, 1699, 1784, 1785,  
1786, 1787, 1789, 1790, 1791, 1797, 1798, 1799,  
1800, 1818, 1819, 1820, 1821, 1822, 1832, 1864,  
1865, 1866, 1867, 2077, 2078, 2143.
- Co-Sponsor ..... 1580, 1581, 1582, 1583, 1610, 1618, 1679, 1723,  
1725, 1726, 1727, 1729, 1730, 1739, 1740, 1742,  
1744, 1745, 1750, 1751, 1752, 1753, 1754, 1757,  
1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765,  
1766, 1770, 1771, 1772, 1773, 1774, 1775, 1776,  
1777, 1778, 1779, 1780, 1803, 1804, 1806, 1809,  
1810, 1812, 1831, 1841, 1844, 1849, 1855, 1885,  
1891, 1892, 1898, 1900, 1913, 1928, 1940, 1951,  
1959, 1960, 1967, 1974, 1988, 2031, 2042, 2043,  
2055, 2056, 2057, 2063, 2168.



**JESSICA LUNSFORD ACT**

H 933 Jessica Lunsford Act for North Carolina  
 (S.L. 2008-117.) .....158, 176, 183, 192,  
 193, 196, 405, 407,  
 588, 617, 627, 711.

S 2063 Jessica's Law/GPS Monitoring  
 (H Judiciary II Com) .....123, 160, 254, 255,  
 300, 315, 337.

**JOHNSTON COUNTY—District 12—Senator Fred Smith**

S 1895 Johnston Courthouse Renovation  
 (S.L. 2008-40.) .....83, 185, 194, 340,  
 353, 366, 388.

S 1653 Various Cities and Towns Overgrown Vegetation Ordinance  
 (S.L. 2008-6.) .....36, 153, 166, 169,  
 247, 254.

**JOINT MUNICIPAL ELECTRIC POWER AND ENERGY ACT [G.S. 159B]**

H 1679 Joint Municipal Assistance Agency Contracts  
 (S.L. 2008-38.) .....254, 280, 293, 344.

**JONES COUNTY—District 6—Senator Harry Brown**

**JONES, SENATOR EDWARD W.** ..... **District**—Bertie,  
 Chowan, Gates, **Halifax**,  
 Hertford, Northampton,  
 Perquimans.

Absent of Leave ..... 567 (portion), 577 (portion).

Adjournment Motion—Second.....310.

Committee Assignments—

Conference .....246, 393, 613.

Standing/Select.....44.

Bills and Resolutions—(Senate Bills)

Primary Sponsor ..... 1598, 1599, 1600, 1691, 1788, 1854, 1855, 2139,  
 2147.

Co-Sponsor ..... 1580, 1606, 1610, 1618, 1623, 1624, 1625, 1626,  
 1642, 1643, 1644, 1699, 1703, 1704, 1710, 1711,  
 1715, 1718, 1719, 1720, 1727, 1728, 1729, 1730,  
 1732, 1733, 1734, 1735, 1736, 1737, 1750, 1751,  
 1752, 1753, 1754, 1757, 1758, 1759, 1760, 1762,  
 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770,  
 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778,  
 1779, 1780, 1781, 1792, 1793, 1794, 1795, 1796,  
 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805,  
 1806, 1808, 1809, 1810, 1812, 1824, 1831, 1841,  
 1844, 1849, 1863, 1891, 1892, 1897, 1898, 1899,

**JONES, SENATOR EDWARD W.** (continued)

Co-Sponsor ..... 1900, 1904, 1905, 1906, 1908, 1910, 1913, 1914,  
1915, 1918, 1920, 1940, 1941, 1942, 1943, 1951,  
1959, 1960, 1967, 1974, 1988, 1992, 1993, 1994,  
1995, 1996, 1997, 2011, 2012, 2014, 2033, 2047,  
2048, 2049, 2055, 2056, 2057, 2140, 2141, 2142,  
2165, 2168.

**JUDICIAL DEPARTMENT [G.S. 7A]**

H 2438 2008 Budget Technical Corrections  
(S.L. 2008-118.) ..... 682, 683, 685, 686,  
695, 711.

S 1632 2008 Technical Corrections Act  
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543, 618, 628, 630,  
689, 722.

H 545 Clarify and Amend Various Provisions  
(S.L. 2008-194.) ..... 267, 302, 315, 393,  
427, 460, 470, 474,  
723.

S 2056 Court Fee Exemption  
(S.L. 2008-193.) ..... 122, 247, 261, 279,  
583, 723.

S 1881 District 26 Assistant District Attorneys Funds  
(Appropriations/Base Budget Com) ..... 80.

S 2085 Durham Court Position Funds  
(Appropriations/Base Budget Com) ..... 127, 209.

S 2108 Equitable Judicial Salary Structure  
(Appropriations/Base Budget Com) ..... 130.

S 2105 Judicial Department Independence  
(Appropriations/Base Budget Com) ..... 130.

S 2111 Mediation Network Funds  
(Appropriations/Base Budget Com) ..... 131.

H 2436 Modify Appropriations Act of 2007  
(S.L. 2008-107.) ..... 173, 224, 225, 228,  
230, 232, 240, 243,  
246, 248, 264, 382,  
392, 403, 414, 415,  
575.

S 2031 State Employees 7% Pay Raise  
(Appropriations/Base Budget Com) ..... 118.

**JUVENILE CODE [G.S. 7B]**

H 2492 Release of Juvenile Escape Information Amended  
(S.L. 2008-169.) ..... 251, 268, 535, 536,  
543, 576, 720.

**KERR, SENATOR JOHN H., III**.....**5th District**—Greene,  
Pitt (part), **Wayne** (part).  
Absent of Leave .....71, 171, 526 (portion), 529 (portion).  
Committee Assignments—  
Conference .....246, 438, 680.  
Paired Votes—  
H 2690 Durham County Meals Tax .....544.  
Bills and Resolutions—(Senate Bills)  
Primary Sponsor ..... 1739, 1740, 1741, 1742, 1743, 1744, 1925, 1939,  
1999, 2000, 2001.  
Co-Sponsor ..... 1580, 1581, 1582, 1583, 1605, 1629, 1630, 1658,  
1659, 1679, 1703, 1704, 1715, 1716, 1725, 1726,  
1747, 1755, 1756, 1765, 1766, 1770, 1771, 1772,  
1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780,  
1818, 1819, 1820, 1821, 1822, 1841, 1849, 1852,  
1876, 1878, 1913, 1959, 1960, 1967, 2033, 2082,  
2162, 2165, 2168.

**KINNAIRD, SENATOR ELEANOR**..... **23rd District**—**Orange**, Person.  
Absent of Leave .....20, 26, 71, 364.  
Adjournment Motion—Second.....259.  
Committee Assignments—  
Conference .....246, 307, 409, 437, 508.  
Escorts—  
Dr. Oliver Smithies, Dr. Bill Roper, and Chancellor James Moser.....272.  
Bills and Resolutions—(Senate Bills)  
Primary Sponsor ..... 1607, 1748, 1749, 1842, 1843, 1947, 2066, 2067,  
2068, 2073, 2074, 2111.  
Co-Sponsor ..... 1580, 1583, 1610, 1618, 1768, 1769, 1849, 1850,  
1894, 1905, 1906, 1909, 1910, 1913, 1914, 1915,  
1918, 1919, 1988, 2031, 2055, 2056, 2057, 2115,  
2129, 2165, 2168.

**LANDLORD AND TENANT [G.S. 42]**

H 2436 Modify Appropriations Act of 2007  
(S.L. 2008-107.) .....173, 224, 225, 228,  
230, 232, 240, 243,  
246, 248, 264, 382,  
392, 403, 414, 415,  
575.  
H 1700 Notice of Conversion of Manufactured Home Community  
(Commerce, Small Business and  
Entrepreneurship Com)  
(Inc. S.L. 2008-107.) .....362.  
S 1924 Require Carbon Monoxide Detectors  
(S.L. 2008-219.) .....87, 263, 278, 305,  
309, 444, 459, 473,  
730.

**LAW ENFORCEMENT/OFFICERS**

- S 1957 NCGA Police Powers  
(S.L. 2008-145.) .....101, 258, 279, 412,  
434, 447, 715.
- S 1100 State Highway Patrol Funeral Expenses  
(S.L. 2008-142.) .....419, 436, 612, 613,  
652, 680, 681, 695,  
715.

**LEE COUNTY—District 18—Senator Bob Atwater**

- H 2752 City of Sanford Special Assessments  
(S.L. 2008-70.) .....292, 332, 350, 368,  
398, 419.
- S 1958 City of Sanford/Lee County Water Systems  
(Finance Com).....102.

**LENOIR COUNTY—District 10—Senator Charles Albertson**

- S 2069 Electing Counties/Hold Harmless  
(Appropriations/Base Budget Com) .....124.
- H 2738 Electing Counties/Hold Harmless  
(S.L. 2008-69.) .....262, 346, 369, 398,  
419.

**LICENSE PLATES**

- S 1701 Special License Plate - Boating Enthusiast  
(Finance Com).....48.
- S 1592 Special License Plate for "Old Baldy"  
(Finance Com).....19.
- S 1700 Special Plate - Piedmont Wildlife Center  
(Finance Com).....47.
- S 1604 Special Plate for ARTS NC/Combat Veterans  
(Finance Com).....16.
- S 1626 Special Plate for CureSearch  
(Finance Com).....29.
- S 1823 Special Plate for Retired Piedmont Airlines Employees  
(Finance Com).....69.
- S 1617 Special Plate for the Given Memorial Library  
(Finance Com).....25.
- S 1897 Special Plate for the North Carolina IAAP  
(Finance Com).....83.
- S 2072 Support Soccer Special Plate  
(Finance Com).....125.
- S 1746 Various Special License Plates  
(H Finance Com) .....54, 265, 278.

**LICENSES AND PERMITS**

H 2570 Create Permit for Movement of Trailer Frames (S.L. 2008-160.) .....	363, 504, 529, 575, 718.
H 2558 Home Inspector Privilege License (S.L. 2008-206.) .....	323, 522, 537, 568, 582, 626, 728.
H 2768 Orange County/Hunting on Private Property (S.L. 2008-205.) .....	363, 400, 426, 429, 451, 502, 727.
H 2313 Permitting and Building Code Changes (S.L. 2008-176.) .....	312, 403, 404, 427, 430, 455, 462, 485, 531, 721.
S 236 Regulation of Professional House Moving (S.L. 2008-89.) .....	340, 356, 365, 477.
S 1340 Sale of Blocks of Ten-Day Coastal Recreational Fishing Licenses (S.L. 2008-141.) .....	443, 456, 486, 501, 715.

**LICENSING AND CERTIFICATION**

S 2052 Department of Defense/Certified Child Care Facility (Appropriations/Base Budget Com) .....	121.
S 1795 Irrigation Contractors Licensure/Fees (Finance Com) .....	64.
H 2353 Irrigation Contractors Licensure/Fees (S.L. 2008-177.) .....	291, 479, 511, 575, 721.
S 1314 Massage and Bodywork Therapy Act Amended (S.L. 2008-224.) .....	441, 456, 486, 500, 731.
S 1980 Massage and Bodywork Therapy Act Amended (Health Care Com) .....	109.
S 1633 Prosthetist/Orthotist/Pedorthist Licensure (Commerce, Small Business and Entrepreneurship Com) .....	30.
H 2463 Regulate Mortgage Servicers (S.L. 2008-228.) .....	312, 333, 357, 371, 391, 418, 732.

**LIEUTENANT GOVERNOR** (The Honorable Beverly Eaves Perdue)**LINCOLN COUNTY**—District 41—Senator James Forrester

S 2069 Electing Counties/Hold Harmless (Appropriations/Base Budget Com) .....	124.
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**LINCOLN COUNTY** (continued)

H 2738 Electing Counties/Hold Harmless  
 (S.L. 2008-69.) .....262, 346, 369, 398,  
 419.

**LOBBYING [G.S. 120C]**

S 1874 Clarify Ethics and Lobbying Laws  
 (Select Committee on Government and  
 Election Reform) .....79.

H 2542 Clarify Ethics and Lobbying Laws  
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 606, 692, 693, 694,  
 695, 729.

**LOCAL DEVELOPMENT [G.S. 158]**

S 1704 Revenue Laws Technical, Clarifying, and Administrative  
 Changes  
 (S.L. 2008-134.) .....48, 161, 166, 175,  
 411, 434, 458, 487,  
 501, 714.

**LOTTERY**

S 1863 Additional Lottery Funds for School Buildings  
 (Appropriations/Base Budget Com) .....78.

S 2086 Tax on Lottery Winnings  
 (Finance Com).....127.

**LOW-WEALTH SCHOOLS**

S 1995 Modify Low-Wealth School Funding Formula  
 (Appropriations/Base Budget Com)  
 (Inc. S.L. 2008-107.) .....112.

**MACON COUNTY**—District 50—Senator John Snow, Jr.

S 1649 Electing Counties/Hold Harmless  
 (Appropriations/Base Budget Com) .....35.

S 2069 Electing Counties/Hold Harmless  
 (Appropriations/Base Budget Com) .....124.

H 2738 Electing Counties/Hold Harmless  
 (S.L. 2008-69.) .....262, 346, 369, 398,  
 419.

**MADISON COUNTY**—District 47—Senator Joe Sam Queen

**MALONE, SENATOR VERNON**.....**14th District**—Wake (part).  
 Absent of Leave .....152, 313.  
 Adjournment Motion—Second.....106, 178, 290, 359.

**MALONE, SENATOR VERNON** (continued)

Committee Assignments—  
 Conference .....159, 246.

Escorts—  
 Mount Olive College Baseball Team,  
 Coaches, Staff and School Officials .....177.

Presides—  
 Daily Session .....92.

Remarks Spread—  
 H 2794 School Integration 50<sup>th</sup> Anniversary .....285.

Bills and Resolutions—(Senate Bills)  
 Primary Sponsor ..... 1618, 1642, 1643, 1644, 1750, 1751, 1752, 1753,  
 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808,  
 1809, 1810, 1811, 1812, 1831, 1940, 1941, 1942,  
 1943, 2051, 2094, 2095, 2096.  
 Co-Sponsor .....1580, 1581, 1582, 1583, 1606, 1607, 1610, 1614,  
 1623, 1624, 1625, 1626, 1629, 1630, 1655, 1679,  
 1725, 1728, 1729, 1730, 1732, 1733, 1734, 1735,  
 1736, 1737, 1757, 1758, 1761, 1762, 1763, 1764,  
 1765, 1766, 1770, 1771, 1772, 1773, 1774, 1775,  
 1776, 1777, 1778, 1779, 1780, 1844, 1849, 1850,  
 1853, 1863, 1891, 1892, 1894, 1896, 1898, 1902,  
 1904, 1905, 1906, 1908, 1909, 1910, 1911, 1913,  
 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1951,  
 1959, 1960, 1967, 1973, 1988, 1992, 1993, 1994,  
 1995, 2009, 2011, 2012, 2013, 2014, 2016, 2031,  
 2033, 2046, 2059, 2098, 2114, 2140, 2141, 2142,  
 2165.

**MARRIAGE & FAMILY**

S 1608 Defense of Marriage  
 (Ways & Means Com).....24, 32.

**MARTIN COUNTY**—District 3—Senator S. Clark Jenkins

S 2143 Joint Jurisdiction Bertie-Martin Jail/Execute Process  
 (State & Local Government Com).....141.

H 2771 Joint Jurisdiction Bertie-Martin Jail/Execute Process  
 (S.L. 2008-79.) .....341, 415, 425, 448,  
 476.

S 1832 Martin County Road Hunting  
 (State & Local Government Com).....73.

H 2464 Martin County Road Hunting  
 (S.L. 2008-50.) .....201, 335, 352, 367,  
 390.

**MASSAGE THERAPY**

S 1314 Massage and Bodywork Therapy Act Amended  
(S.L. 2008-224.) .....441, 456, 486, 500,  
731.

**MCDOWELL COUNTY**—District 47—Senator Joe Sam Queen

**McKISSICK, SENATOR FLOYD B., JR.**..... 20th District—Durham (part).

Committee Assignments—

Conference .....159, 246.  
Standing/Select.....44.

Escorts—

Amanda Watson, Miss North Carolina 2008 .....324.

Remarks Spread—

S 2168 Honor James Speed.....375.  
H 2794 School Integration 50<sup>th</sup> Anniversary .....285.

Bills and Resolutions—(Senate Bills)

Primary Sponsor ..... 1839, 1840, 1841, 1959, 1960, 2055, 2056, 2057,  
2122, 2123, 2124, 2163.

Co-Sponsor ..... 1580, 1582, 1583, 1618, 1629, 1630, 1655, 1658,  
1659, 1665, 1666, 1667, 1668, 1669, 1670, 1672,  
1673, 1674, 1676, 1677, 1679, 1680, 1685, 1686,  
1687, 1725, 1726, 1727, 1728, 1729, 1730, 1738,  
1750, 1753, 1757, 1758, 1761, 1762, 1768, 1769,  
1772, 1773, 1774, 1775, 1777, 1778, 1779, 1780,  
1781, 1800, 1801, 1802, 1805, 1806, 1807, 1808,  
1809, 1810, 1811, 1812, 1831, 1844, 1849, 1850,  
1851, 1852, 1857, 1858, 1885, 1891, 1892, 1894,  
1898, 1902, 1913, 1914, 1920, 1924, 1940, 1941,  
1942, 1943, 1945, 1952, 1967, 1988, 2014, 2031,  
2033, 2034, 2036, 2063, 2084, 2085, 2089, 2090,  
2091, 2115, 2165, 2168.

**MECKLENBURG COUNTY**—District 35—Senator Eddie Goodall  
District 37—Senator Daniel Clodfelter  
District 38—Senator Charlie Dannelly  
District 39—Senator Bob Rucho  
District 40—Senator Malcolm Graham

S 1845 Charlotte Small Business Enterprise Program  
(H Commerce, Small Business, and  
Entrepreneurship Com) .....74, 271, 298.

H 2488 Charlotte Small Business Enterprise Program  
(S.L. 2008-101.) .....340, 449, 482, 503,  
521.



**MECKLENBURG COUNTY (continued)**

S 1868 Charlotte Transit Police (State & Local Government Com).....	78.
S 1598 Regulation of Golf Carts Various Localities (S.L. 2008-71.) .....	22, 104, 189, 194, 404, 410, 425, 450, 461, 475.

**MEDICAID**

S 2008 Medicaid Appeals Change (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	114, 442.
S 1918 Medicaid Rate/Certain Facilities (Appropriations/Base Budget Com) .....	86.
S 2076 Prevent Prescription Drug Fraud (Appropriations/Base Budget Com) .....	125.
S 1610 Recommendations of MH/DD/SA Oversight Committee (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	24, 170.
S 1811 Special Assistance Income Disregard Study (Appropriations/Base Budget Com) .....	67.

**MEDICINE AND ALLIED OCCUPATIONS [G.S. 90]**

S 1632 2008 Technical Corrections Act (S.L. 2008-187.) .....	29, 507, 524, 529, 543, 618, 628, 630, 689, 722.
S 1651 Anatomical Gifts (S.L. 2008-153.) .....	35, 215, 227, 396, 717.
S 2041 Cancer Drug and Medical Device Repository (Appropriations/Base Budget Com) .....	120.
S 1733 Hospital Report Child Injuries (Health Care Com) .....	52.
H 2338 Hospital Report Child Injuries (S.L. 2008-179.) .....	312, 376, 392, 418, 721.
S 1070 Interest Rates for Scholarship Loan Programs (H Finance Com) .....	187, 197, 200.
S 1314 Massage and Bodywork Therapy Act Amended (S.L. 2008-224.) .....	441, 456, 486, 500, 731.
S 1980 Massage and Bodywork Therapy Act Amended (Health Care Com) .....	109.

**MEDICINE AND ALLIED OCCUPATIONS [G.S. 90] (Continued)**

H 2436 Modify Appropriations Act of 2007  
 (S.L. 2008-107.) .....173, 224, 225, 228,  
 230, 232, 240, 243,  
 246, 248, 264, 382,  
 392, 403, 414, 415,  
 575.

H 2397 Nursing Home Administrators and General  
 Assembly/Criminal History  
 (S.L. 2008-183.) .....412, 521, 532, 567,  
 605, 612, 690, 722.

S 1753 Nursing Home Administrators Criminal History  
 (Finance Com).....56, 134.

S 2076 Prevent Prescription Drug Fraud  
 (Appropriations/Base Budget Com) .....125.

S 1633 Prosthetist/Orthotist/Pedorthist Licensure  
 (Commerce, Small Business and  
 Entrepreneurship Com) .....30.

S 2117 Substance Abuse Professionals Act Amended  
 (S.L. 2008-130.) .....132, 163, 261, 279,  
 417, 713.

S 1925 UNC Nonappropriated Capital Projects/Airport Authority  
 (S.L. 2008-204.) .....88, 188, 196, 207,  
 426, 438, 548, 552,  
 580, 629, 650, 690,  
 727.

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND  
 SUBSTANCE ABUSE ACT OF 1985 [G.S. 122C]**

S 1632 2008 Technical Corrections Act  
 (S.L. 2008-187.) .....29, 507, 524, 529,  
 543, 618, 628, 630,  
 689, 722.

S 2116 DHHS/Community Supports Changes  
 (Appropriations/Base Budget Com)  
 (Inc. S.L. 2008-107.) .....132.

S 1770 Expand Medical Examiner Jurisdiction/Study  
 (S.L. 2008-131.)  
 (Inc. S.L. 2008-107.) .....59, 162, 401, 427,  
 546, 579, 626, 713.

S 1982 Incapacity to Proceed/24-Hour Facility Closure  
 (Judiciary I Com).....110.

**MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND  
SUBSTANCE ABUSE ACT OF 1985 [G.S. 122C]** (continued)

H 2436 Modify Appropriations Act of 2007 (S.L. 2008-107.) .....	173, 224, 225, 228, 230, 232, 240, 243, 246, 248, 264, 382, 392, 403, 414, 415, 575.
S 2081 NICS Reporting/Restoration (S.L. 2008-210.) .....	126, 213, 420, 453, 460, 626, 728.
S 1610 Recommendations of MH/DD/SA Oversight Committee (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	24, 170.
H 1253 Sex Offender/Incapacity to Proceed (H Judiciary II Com) .....	535, 542.
S 2117 Substance Abuse Professionals Act Amended (S.L. 2008-130.) .....	132, 163, 261, 279, 417, 713.

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S 1541 Interstate Compact/Education of Military Children (S.L. 2008-185.) .....	410, 433, 446, 722.
S 1981 Interstate Compact/Education of Military Children (Education/Higher Education Com) .....	110.
S 1983 Scholarship For Children of War Veterans Amended (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	110.

**MILITIA [G.S. 127A]**

S 1846 Enhance National Guard Pension Fund (Pensions & Retirement and Aging Com) .....	75.
H 2432 Local Disaster Management Capability/Study (S.L. 2008-162.) .....	221, 467, 479, 511, 520, 718.
H 1304 Student Loan Repayment for North Carolina Guard Members (S.L. 2008-94.) .....	283, 290, 306, 317, 478.

**MITCHELL COUNTY—District 47—Senator Joe Sam Queen**

**MONOPOLIES, TRUSTS AND CONSUMER PROTECTION [G.S. 75]**

S 845 Environmental Laws/Environmental Technical Corrections 2008 Amended (S.L. 2008-198.) .....	545, 578, 581, 615, 616, 653, 671, 677, 687, 725.
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**MONOPOLIES, TRUSTS AND CONSUMER PROTECTION [G.S. 75]**

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- S 1339 Gasoline and Fuel Alcohol Blending  
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473, 731.
- H 738 Insurance Changes-AB  
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**SNOW, SENATOR JOHN J., JR.**.....**50th District—Cherokee, Clay,  
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S 1924 Require Carbon Monoxide Detectors (S.L. 2008-219.) .....	87, 263, 278, 305, 309, 444, 459, 473, 730.
S 1686 Smoke-Free State and Local Building Grounds (H Judiciary I Com).....	41, 212, 218, 228.
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H 1113 State Tort Claims/Public Duty Doctrine (S.L. 2008-170.) .....	380, 391, 418, 720.
S 1925 UNC Nonappropriated Capital Projects/Airport Authority (S.L. 2008-204.) .....	88, 188, 196, 207, 426, 438, 548, 552, 580, 629, 650, 690, 727.



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- S 1875 Clarify Auditor Hotline Authority/State Ethics Commission  
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- S 1874 Clarify Ethics and Lobbying Laws  
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- S 1632 2008 Technical Corrections Act  
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- S 1946 Codify Energy Efficiency in Public Buildings  
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- S 1632 2008 Technical Corrections Act  
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S 2015	School of Arts/Name Change (S.L. 2008-192.) .....	115, 154, 254, 258, 445, 459, 474, 723.
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H 2523	Autism Committee Recommendations (S.L. 2008-83.) .....	312, 344, 377, 387, 477.
H 2398	Department of Health and Human Services Study Group Respite (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	180.
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S 1993	Extend School Formula Committee (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	112.
S 1872	Extend Water Allocation Study (S.L. 2008-10.) .....	79, 148, 156, 214, 294.
S 1666	General Statutes Commission Study Uniform Volunteer Health Practitioners Act (Rules and Operations of the Senate Com).....	38.
S 1802	Health Information Management Study/Funds (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	65.
S 1714	Improve Consumer Credit Reporting/Study (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	49.
H 933	Jessica Lunsford Act for North Carolina (S.L. 2008-117.) .....	158, 176, 183, 192, 193, 196, 405, 407, 588, 617, 627, 711.
S 2063	Jessica's Law/GPS Monitoring (H Judiciary II Com) .....	123, 160, 254, 255, 300, 315, 337.
S 1775	Local Disaster Management Capability Study (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	60.
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S 2055	Pay Equity Study Commission (Appropriations/Base Budget Com) .....	122.
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S 1610	Recommendations of MH/DD/SA Oversight Committee (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) .....	24, 170.
S 1764	Regional Education Service Centers Study (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	58.
S 1924	Require Carbon Monoxide Detectors (S.L. 2008-219.) .....	87, 263, 278, 305, 309, 444, 459, 473, 730.
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H 93	Transport of Individuals in Wheelchair/Study (S.L. 2008-121.) .....	345, 376, 396, 711.
S 2080	UNC Campus Safety/Funds (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.) (Inc. S.L. 2008-181.) .....	126, 157.
S 2014	UNC to Study Structure and Organization of DPI (Appropriations/Base Budget Com) .....	115.
S 1772	Uniform Volunteer Health Practitioners Act Study (Rules and Operations of the Senate Com) (Inc. S.L. 2008-181.) .....	60.
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- S 1841 Urban Growth Issues Study  
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- H 1889 Wildlife Land Property Tax Changes  
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**SURRY COUNTY**—District 30—Senator Don East

- H 2603 Add Cities/Overgrown Vegetation Ordinance  
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- H 2451 Elkin/Burlington Volunteer Firemen's Retirement  
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- S 1654 Mount Airy/Town of Cameron Deannexation  
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- S 1745 1%/\$80 Rate / Industrial Machinery Refurbisher  
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- S 2113 Air Carrier/Reduce Tax on Home Heating Fuel  
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- S 1596 Citizen Protection Act  
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- S 2106 Clarify Sales Tax Refund  
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- S 1894 Congestion Relief/Intermodal Transport Fund  
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- S 1876 Deferred Property Tax Programs Changes  
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- S 1769 Energy Efficiency Sales Tax Holiday  
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S 1756	Estate and Gift Tax Law Changes (H Finance Com) (Inc. S.L. 2008-107.)	56, 135, 146, 150, 159.
S 1703	Exempt Disaster Assistance Debit Sales (H Finance Com)	48, 133, 136.
S 1968	Expand Film Industry Credits (H Finance Com)	108, 261, 277, 299.
S 1731	Extend Port Tax Credit (Finance Com)	52.
S 1723	Extend Sunset/State Ports Tax Credit (Finance Com)	51.
H 2558	Home Inspector Privilege License (S.L. 2008-206.)	323, 522, 537, 568, 582, 626, 728.
S 2097	Increase Earned Income Tax Credit Percentage (Finance Com) (Inc. S.L. 2008-107.)	129.
S 1808	Increase Long-Term Care Insurance Tax Credit (Finance Com)	66.
S 1628	Increase Qualified Business Venture Tax Credit Cap (Finance Com) (Inc. S.L. 2008-107.)	29, 106, 209, 216, 226, 235.
S 1743	Increase Research and Development Funding for Wine/Grape Council (Appropriations/Base Budget Com) (Inc. S.L. 2008-107.)	54.
S 1939	Internal Revenue Code Update (Finance Com) (Inc. S.L. 2008-107.)	90.
S 1629	Limited Sales Tax Exemption for Baked Goods (Finance Com)	29, 93, 106.
S 1815	Marine Diesel Fuel Sales Tax Exemption (Finance Com)	68.
S 1641	Mills River Video Distribution (Finance Com)	34.
H 2436	Modify Appropriations Act of 2007 (S.L. 2008-107.)	173, 224, 225, 228, 230, 232, 240, 243, 246, 248, 264, 382, 392, 403, 414, 415, 575.

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S 1953	Modify Bread Sales and Use Tax (Finance Com).....	101.
S 2112	Modify Insurance Gross Premiums Tax (Finance Com).....	131.
S 1817	Motor Fuels Tax Holiday (Finance Com).....	68.
H 1700	Notice of Conversion of Manufactured Home Community (Commerce, Small Business and Entrepreneurship Com) (Inc. S.L. 2008-107.) .....	362.
S 1715	Procedure for Tax Class Actions (H Judiciary II Com) (Inc. S.L. 2008-107.) .....	49, 310, 311, 315.
S 1657	Prohibit Tax on Interior Design Services (H Finance Com) (Inc. S.L. 2008-107.) .....	36, 98, 106, 132, 135.
S 1878	Property Tax Modifications (S.L. 2008-146.) .....	80, 188, 195, 207, 411, 432, 437, 442, 526, 580, 628, 649, 689, 715.
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S 2062	Raise Sales and Use Tax Prepayment Threshold (Finance Com).....	123.
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S 1951	Repeal County Land Transfer Tax (H Rules, Calendar, and Operations of the House Com).....	100, 202, 204, 226, 235, 242, 243.
S 2088	Repeal Estate and Gift Tax (Finance Com).....	127.
S 1830	Repeal Transfer Tax (Finance Com).....	72, 98, 99.
S 1704	Revenue Laws Technical, Clarifying, and Administrative Changes (S.L. 2008-134.) .....	48, 161, 166, 175, 411, 434, 458, 487, 501, 714.
S 1630	Sales and Use Tax Exemption for Baked Goods (H Finance Com) (Inc. S.L. 2008-107.) .....	29, 93, 106, 202, 208.

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H 2509 Sales Tax Refund for Certain Nonprofits (S.L. 2008-154.) .....	291, 469, 486, 519, 679, 684, 691, 692, 695, 717.
S 1792 School Construction Optimization Act (Finance Com).....	63.
S 2084 School Construction Optimization Act (Finance Com).....	127, 219.
S 1952 Small Business Tax Protection Act (H Finance Com) (Inc. S.L. 2008-107.) .....	101, 160, 210, 217, 226, 235, 236, 242.
H 2530 Solid Waste Tax Changes/Unsalable Other Tobacco Products Refund (S.L. 2008-207.) .....	323, 469, 483, 511, 529, 576, 728.
S 1747 Sunset Recycling Facility Credits (Finance Com).....	55.
S 1716 Supplemental PEG Support (S.L. 2008-148.) .....	50, 168, 261, 278, 473, 716.
S 2059 Tax Credits for Children with Special Needs (Finance Com).....	122.
S 1857 Tax Free Tax Books (Finance Com).....	77, 93.
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S 1755 Various Tax Law Changes (H Finance Com) (Inc. S.L. 2008-107.) .....	56, 210, 216, 225, 234, 239.
H 1889 Wildlife Land Property Tax Changes (S.L. 2008-171.) .....	469, 484, 531, 720.

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H 2360 Board Certified Teachers Serve as Full-Time Mentors (S.L. 2008-86.) .....	291, 344, 377, 387, 477.
S 2132 Enhance TSERS Benefits/Retirement COLAs (Appropriations/Base Budget Com) .....	139.

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S 2013	Some Personal Leave Time/No Penalty (Appropriations/Base Budget Com) .....	115.

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S 1632	2008 Technical Corrections Act (S.L. 2008-187.) .....	29, 507, 524, 529, 543, 618, 628, 630, 689, 722.
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**TILLMAN, SENATOR JERRY W.**.....**29th District**—Montgomery,  
**Randolph.**

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Conference .....	407, 409.
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Co-Sponsor .....	1580, 1595, 1596, 1608, 1610, 1618, 1657, 1658, 1659, 1660, 1664, 1673, 1680, 1682, 1695, 1705, 1738, 1745, 1754, 1757, 1758, 1761, 1762, 1763, 1764, 1806, 1812, 1830, 1849, 1857, 1858, 1861, 1863, 1870, 1898, 1913, 1928, 1940, 1941, 1942, 1951, 1961, 1967, 1974, 1985, 1992, 1993, 1994, 1995, 2002, 2018, 2026, 2028, 2040, 2063, 2086, 2087, 2115, 2161, 2162, 2165, 2168.

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S 1697	Toll Enforcement Authority Changes (S.L. 2008-225.) .....	47, 189, 358, 371, 390, 517, 530, 578, 625, 731.
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H 1076	Fee Waiver/UNC and Community Colleges (S.L. 2008-135.) .....	271, 317, 355, 397, 714.
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- S 1352 Gap Funding for Turnpike Authority  
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- S 1697 Toll Enforcement Authority Changes  
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390, 517, 530, 578,  
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**TYRRELL COUNTY—District 1—Senator Marc Basnight**

**UNION COUNTY—District 35—Senator Eddie Goodall**

- H 2603 Add Cities/Overgrown Vegetation Ordinance  
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- S 1890 Union County Operate Hi-Speed Internet  
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- S 1986 Wesley Chapel/Lease Property  
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- S 2118 Wesley Chapel/Lease Property  
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