

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**2009 GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF NORTH CAROLINA**  
**SECOND SESSION**  
**2010**



**OFFICERS AND MEMBERS  
OF  
THE SENATE OF THE NORTH CAROLINA  
2009 GENERAL ASSEMBLY  
SECOND SESSION 2010**

WALTER H. DALTON, President..... Rutherfordton  
 MARC BASNIGHT, President *Pro Tempore* ..... Manteo  
 CHARLIE SMITH 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	DONALD G. DAVIS (D).....	Snow Hill
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	DAVID ROUZER (R).....	Benson
13	DAVID F. WEINSTEIN (D) (Resigned 9-30-2009).....	Lumberton
	MICHAEL P. WALTERS (D) (Appointed 11-03-2009)....	Fairmont
14	VERNON MALONE (D) (Deceased 4-18-2009).....	Raleigh
	DANIEL T. BLUE (D) (Appointed 5-19-2009).....	Raleigh
15	NEAL HUNT (R).....	Raleigh
16	JOSHUA H. STEIN (D).....	Raleigh
17	RICHARD Y. STEVENS (R).....	Cary
18	BOB ATWATER (D).....	Chapel Hill
19	TONY RAND (D) (Resigned 12-31-2009).....	Fayetteville
	MARGARET HIGHSMITH DICKSON (D) (Appointed 1-21-2010) .....	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 DONALD R. VAUGHAN (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 SMITH DANNELLY (D).....Charlotte  
39 ROBERT A. RUCHO (R).....Matthews  
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 DEBBIE A. CLARY (R).....Cherryville  
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

2010

### ONE HUNDRED AND THIRTEENTH DAY

Senate Chamber  
Wednesday, May 12, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, the opening day of a new session always brings with it a great sense of expectancy, even in challenging economic times, and today is no exception. We are grateful for the able work already done by Senator Basnight and other Senators in advance of this session to secure sound answers to tough questions. Over the years, as I've watched and listened to these men and women, I have learned one very important lesson from them. That is that the experiences we choose don't straighten us up quite like the experiences that choose us. People who get their way all the time don't get much. In turn, I continue to pray that we all remember more important and satisfying than answers, is the answerer, you, O God. Thou art with us, that is what we desire. We ask for your active presence each day of this session. In your holy name we pray, Amen."

### PLEDGE OF ALLEGIANCE

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, August 11, 2009, 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 Jessica Gerdes from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.*

### SEATING OF THE HONORABLE MICHAEL P. WALTERS

The President recognizes Cecil Goins, Sergeant-At-Arms, who announces that The Honorable Michael P. Walters awaits at the door to enter the Chamber to take his seat as a member of the Senate. Senator Dannelly announces Senator Blue, Senator Vaughan, Senator Purcell, Senator Soles and Senator Snow as the Committee to escort Senator Michael P. Walters to the Well of the Senate.

**PROCLAMATION FROM THE GOVERNOR**

The President instructs the Reading Clerk to read the Proclamation from the Governor appointing Michael P. Walters, as follows:

**THE APPOINTMENT OF MICHAEL P. WALTERS**

2009-2010

**BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA**

**A PROCLAMATION**

WHEREAS, the Honorable David Weinstein, elected Senator from the Thirteenth Senatorial District 2009-2010 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable David Weinstein be filled by appointment of the person recommended by the Thirteenth State Senate District Committee of the Democratic Party; and

WHEREAS, the Thirteenth State Senate District Committee of the Democratic Party has notified me of its recommendation of Michael P. Walters of Fairmont, Robeson County, North Carolina, to fill the unexpired term.

I do by these presents appoint

**MICHAEL P. WALTERS**

as a member of the

**SENATE**

2009-2010 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 third day of November in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-fourth.

S/Beverly Eaves Perdue  
Governor

ATTEST:  
S/Elaine F. Marshall  
Secretary of State

May 12, 2010

(Senator Walters was administered the Oath of Office on November 17, 2009, by The Honorable Robert F. Floyd, Jr., Senior Resident Superior Court Judge, Judicial District 16B of the General Court of Justice of the State of North Carolina.)

Senator Walters is escorted to Seat No. 19.

### **SEATING OF THE HONORABLE MARGARET H. DICKSON**

The President recognizes Cecil Goins, Sergeant-At-Arms, who announces that The Honorable Margaret H. Dickson awaits at the door to enter the Chamber to take her seat as a member of the Senate. Senator Dannelly announces Senator Garrou, Senator Blue, Senator Shaw, Senator Purcell and Senator Nesbitt as the Committee to escort Senator Margaret H. Dickson to the Well of the Senate.

### **PROCLAMATION FROM THE GOVERNOR**

The President instructs the Reading Clerk to read the Proclamation from the Governor appointing Margaret H. Dickson, as follows:

#### **THE APPOINTMENT OF MARGARET H. DICKSON**

2009-2010

BY THE GOVERNOR OF THE STATE OF THE NORTH CAROLINA

#### **A PROCLAMATION**

WHEREAS, the Honorable Tony Rand, elected Senator from the Nineteenth Senatorial District 2009-2010 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Tony Rand be filled by appointment of the person recommended by the Nineteenth State Senate Executive Committee of the Democratic Party; and

WHEREAS, the Nineteenth State Senate Executive Committee of the Democratic Party has notified me of its recommendation of Margaret H. Dickson of Cumberland County, North Carolina, to fill the unexpired term,

I do by these presents appoint

MARGARET H. DICKSON

as a member of the

SENATE

2009-2010 General Assembly

May 12, 2010

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol of the City of Raleigh, this twenty-first day of January in the year of our Lord two thousand and ten, and of the Independence of the United States of America the two hundred and thirty-fourth.

S/Beverly Eaves Perdue  
Governor

ATTEST:  
S/Elaine F. Marshall  
Secretary of State

(Senator Dickson was administered the Oath of Office on January 27, 2010, by The Honorable Patricia Timmons-Goodson, Associate Justice of the Supreme Court of North Carolina of the General Court of Justice of the State of North Carolina.)

Senator Dickson is escorted to Seat No. 24.

#### **MESSAGE FROM THE DEMOCRATIC CAUCUS**

SENATOR R. C. SOLES, JR.  
SENATE MAJORITY CHAIRMAN

January 26, 2010

The Honorable Walter Dalton  
President of the Senate  
Room 2104, Legislative Building  
Raleigh, North Carolina 27601-2808

Dear President Dalton:

This is to advise you that the Senate Democratic Caucus met on Tuesday, November 17, 2009, with 27 members present, and nominated and elected Senator Martin L. Nesbitt, Jr. as Senate Majority Leader. Senator Nesbitt's term began January 1, 2010.

Sincerely,  
S/Senator R. C. Soles, Jr.  
Permanent Democratic Caucus Chairman

RCS, jr:rrf

cc: The Honorable Marc Basnight  
Ms. Janet Pruitt

May 12, 2010



**CHANGES TO 2010 SENATE COMMITTEES**

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

Senator Hoyle is appointed Chairman of the **Rules and Operations of the Senate Committee**.

Senator Hoyle is removed as Co-Chairman of the **Finance Committee** but remains as a member.

Senator Blue is appointed Chairman of the **Select Committee on Employee Hospital and Medical Benefits**.

Senator Blue is appointed to the **Select Committee on Economic Recovery**.

Senator Queen is removed as Vice Chair of the **Subcommittee on Education/Higher Education**.

Senator Queen is appointed Co-Chairman of the **Appropriations Subcommittee on Natural and Economic Resources**.

Senator Swindell is removed from the **Agriculture/Environment/ Natural Resources Committee**.

Senator Swindell is appointed to the **Commerce Committee**.

**COMMITTEE APPOINTMENTS**

Pursuant to Rule 31, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Dickson to the following Committees:

**Appropriations/Base Budget Committee**  
**Appropriations on Education/Higher Education Committee**  
**Commerce Committee**, Vice Chairman  
**Education/Higher Education Committee**  
**Finance Committee**  
**Judiciary I Committee**  
**Transportation Committee**  
**Rules and Operations of the Senate Committee**

**COMMITTEE APPOINTMENTS**

Pursuant to Rule 31, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Walters to the following Committees:

May 12, 2010

**Agriculture/ Environment/Natural Resources Committee**, Vice Chairman  
**Appropriations/Base Budget Committee**  
**Appropriations/Natural and Economic Resources**  
**Finance Committee**  
**State and Local Government Committee**  
**Transportation Committee**  
**Select Committee on Energy, Science and Technology**

*The Chair grants a leave of absence for the remainder of today's session to Senator Berger of Rockingham.*

#### **INTRODUCTION OF A RESOLUTION**

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 Senator Hoyle:

**S.J.R. 1110**, A JOINT RESOLUTION MAKING TECHNICAL CORRECTIONS TO THE ADJOURNMENT RESOLUTION.

With unanimous consent, upon motion of Senator Hoyle, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration.

The joint resolution passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

#### **WITHDRAWAL FROM CALENDAR**

**H.B. 1292** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISMISSAL, DEMOTION, OR SUSPENSION OF NONCERTIFIED SCHOOL EMPLOYEES, placed earlier on the Calendar for Wednesday, May 19.

Senator Hoyle offers a motion that the bill be withdrawn from the Calendar for Wednesday, May 19, 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 Wednesday, May 19, and re-refers the measure to the **Education/Higher Education Committee**.

#### **WITHDRAWAL FROM CALENDAR**

**H.B. 1463** (Senate 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

May 12, 2010

PARENTS TO HAVE ACCESS TO CONFIDENTIAL INTERMEDIARY SERVICES UPON THE CONSENT OF THE PARTIES, AND ALLOWING 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, placed earlier on the Calendar for Wednesday, May 19.

Senator Hoyle offers a motion that the bill be withdrawn from the Calendar for Wednesday, May 19, and re-referred to the **Judiciary II Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Wednesday, May 19, and re-refers the measure to the **Judiciary II Committee**.

#### **WITHDRAWAL FROM CLERK'S OFFICE**

**H.B. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE CONDITIONS OF PROBATION, ordered held in the Office of the Principal Clerk on Tuesday, May 19, 2009, pending referral to committee.

Senator Hoyle, Chairman of the Rules and Operations of the Senate Committee, announces the referral of the Committee Substitute bill to the **Judiciary II Committee**.

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

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

House of Representatives  
May 12, 2010

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to Proclamations issued by Governor Beverly Perdue, Representative Chris Heagarty, Representative John May, and Representative Diane Parfitt have been administered the oath of office as Members of the House of Representatives for the remainder of the 2009 General Assembly.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

#### **MESSAGE FROM THE GOVERNOR**

The following special message is received from the Governor:

May 12, 2010

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

BEVERLY EAVES PERDUE  
GOVERNOR

March 26, 2010

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 § 62-10(g), I have appointed Lucy T. Allen to serve as an interim member of the North Carolina Utilities Commission and, pursuant to General Statute § 62-10(f), I hereby submit her name for confirmation by the North Carolina General Assembly. Ms. Allen's term shall begin upon her taking the oath of office as required by General Statute § 62-11 and, upon confirmation, will expire June 30, 2013.

Ms. Allen will fill the seat formerly held by Bobby Owens.

Sincerely,  
S/Bev Perdue

BP: jhk

cc: The Honorable Marc Basnight  
The Honorable Joe Hackney  
The Honorable Walter Dalton  
Ms. Denise Weeks

Referred to the **Commerce Committee**.

Upon motion of Senator Basnight, seconded by Senator Nesbitt, the Senate adjourns subject to reading of executive orders, ratification of bills and reading of messages from the House of Representatives, to meet Thursday, May 13, at 9:00 A.M.

**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:

May 12, 2010

**S.J.R. 1110**, A JOINT RESOLUTION MAKING TECHNICAL CORRECTIONS TO THE ADJOURNMENT RESOLUTION. (Res. 1)

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following message is received from the House of Representatives:

**H.B. 524** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT

May 12, 2010

FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO AUTHORIZE CITIES AND COUNTIES TO DEVELOP BINDING UTILITY SERVICE PLANS; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE.

Referred to the **Finance Committee**.

#### **EXECUTIVE ORDERS**

**Executive Order Number 21**, Reduce Monthly Budget Allotments for the 2009-10 Fiscal Year.

May 12, 2010

**Executive Order Number 22**, Amending and Extending Executive Order No. 128, Governor's Advisory Council on Hispanic/Latino Affairs.

**Executive Order Number 23**, Governor's Scientific Advisory Panel on Offshore Energy.

**Executive Order Number 24**, Regarding Gifts to State Employees.

**Executive Order Number 25**, Amending Executive Order No. 12, Streetsafe Task Force.

**Executive Order Number 26**, Reestablishing the Governor's Task Force for Healthy Carolinians.

**Executive Order Number 27**, Proclamation of a State of Emergency by the Governor of the State of North Carolina.

**Executive Order Number 28**, Reestablishing the North Carolina Film Council.

**Executive Order Number 29**, Establishing the North Carolina Innovation Council.

**Executive Order Number 30**, Proclamation of a State of Emergency by the Governor of the State of North Carolina.

**Executive Order Number 31**, Immediate Eligibility for Unemployment Benefits in Wake of Major Industrial Disaster in Wake County.

**Executive Order Number 32**, Governor's Logistics Task Force.

**Executive Order Number 33**, Establishment of the North Carolina Complete Count Committee.

**Executive Order Number 34**, Ethics and Attendance Standards for Gubernatorial Appointees to Boards.

**Executive Order Number 35**, Ethics Standards for Certain Boards.

**Executive Order Number 36**, Designation of Certain State Employees and Appointees as Covered Public Servants under the State Government Ethics Act.

**Executive Order Number 37**, North Carolina Emergency Response Commission.

**Executive Order Number 38**, Reestablishing the Food Safety and Defense Task Force.

May 12, 2010

**Executive Order Number 39**, Replacing Executive Order No. 124, Statewide Flexible Benefits Program.

**Executive Order Number 40**, Replacing Executive Order No. 133, Juvenile Justice Planning Committee.

**Executive Order Number 41**, Reestablishing the North Carolina Commission on Volunteerism and Community Service.

**Executive Order Number 42**, Emergency Relief for Damage caused by Ice/Snow Storm.

**Executive Order Number 43**, Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies throughout the State.

**Executive Order Number 44**, Proclamation of a State of Emergency by the Governor of the State of North Carolina.

**Executive Order Number 45**, To Facilitate Employee Access to State Facilities and Cabinet Agency Leaders.

**Executive Order Number 46**, Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services Throughout the State.

**Executive Order Number 47**, Proclamation of a State of Emergency by the Governor of the State of North Carolina due to a Winter Storm.

**Executive Order Number 48**, Temporary Suspension of Motor Vehicle Regulations to Transport Essential Feed and Supplies to Poultry Farms.

**Executive Order Number 49**, North Carolina Motorsports Advisory Council.

**Executive Order Number 50**, Enhanced Purchasing Opportunities for North Carolina Businesses.

**Executive Order Number 51**, Governor's Teacher Advisory Committee.

**Executive Order Number 52**, Amending and Extending Executive Order No. 139, North Carolina State Health Coordinating Council.

**Executive Order Number 53**, Proclamation of a State of Disaster for Towns of Nags Head and Kitty Hawk.

**Executive Order Number 54**, Assessment of State's Readiness for Aging Population.

May 12, 2010



**Executive Order Number 55**, Enhanced Disclosures from Applicants to Boards and Commissions.

**Executive Order Number 56**, Proclamation of a State of Disaster for Davidson and Guilford Counties.

**Executive Order Number 57**, North Carolina Interagency Council for Coordinating Homeless Programs.

**Executive Order Number 58**, Emergency Relief for Damage Caused by Flooding in the State of Tennessee.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 1:00 P.M.

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### ONE HUNDRED AND FOURTEENTH DAY

Senate Chamber  
Thursday, May 13, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Gracious God, though their names were mentioned yesterday, we acknowledge in our prayer today the departure of Senators Rand and Weinstein to other places of public service. They were dedicated, effective and long time colleagues of the Senate family and will be missed. At the same time we welcome Senators Dixon and Walters and ask your blessing on them, O God, for this their first session as Senators. I heard Senator Nesbitt as part of the escort committee, offer Senator Dixon this benediction as he offered his seat to her yesterday. 'Welcome to Amen Corner.' In case she or Senator Walters might have worried about that statement, I think Senator Nesbitt was referring to her seat being in front of the Chaplain as opposed to warning her about frequent, spontaneous, charismatic outbursts offered by colleagues in her vicinity. What I do appreciate about the Senate family is that many whispered amens will be voiced during this session. Because they know and appreciate from whom their help comes, when the prayer ended all present did say, Amen."

The Chair grants leaves of absence for today to Senator Albertson and Senator Soles.

May 13, 2010

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, May 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 Olusegun Taiwo from Raleigh, North Carolina, and Annette Greer from Raleigh, North Carolina, who are serving the Senate as Nurses of the Day.*

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

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

House of Representatives  
May 12, 2010

Mr. President:

On Wednesday, May 12, 2010, the House of Representatives failed to concur in the Senate Committee Substitute for **H.B. 530**, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE.

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  
May 12, 2010

Mr. President:

On Wednesday, May 12, 2010, the House of Representatives failed to concur in the Senate Amendment No. 1 to **H.B. 565** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

May 13, 2010

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
May 12, 2010

Mr. President:

On Wednesday, May 12, 2010, the House of Representatives failed to concur in the Senate Committee Substitute for **H.B. 713**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Upon motion of Senator Basnight, seconded by Senator Hoyle, the Senate adjourns subject to introduction of bills, to meet Monday, May 17, 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 Vaughan:

**S.J.R. 1111**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL.

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

By Senator Vaughan:

**S.B. 1112**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL.

Referred to the **Judiciary II Committee**.

By Senator Kinnaird:

**S.B. 1113**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF CARRBORO FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF MUNICIPAL PILOT PROGRAMS AIMED AT INCREASING ENERGY

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EFFICIENCY, AND TO AUTHORIZE THE TOWN OF CARRBORO TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

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

By Senators Kinnaird and Atwater:

**S.B. 1114**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF CHAPEL HILL FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF MUNICIPAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

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

By Senator Preston:

**S.B. 1115**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION.

Referred to the **Education/Higher Education Committee** and upon a favorable report, re-referred to the **Judiciary II Committee**.

By Senators Blue, Purcell, Swindell; and Preston:

**S.B. 1116**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMITTEE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE.

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

By Senators Blue, Purcell, Swindell; Jones and Preston:

**S.B. 1117**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CONSOLIDATED ANNUAL REPORT FOR VARIOUS EARLY CARE AND EDUCATION PROGRAMS AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE.

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

By Senators Blue, Purcell, Swindell; and Preston:

**S.B. 1118**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF PAYMENTS MADE BY MULTIPLE PUBLIC AND PRIVATE AGENCIES TO EARLY CHILD CARE AND EDUCATION

PROVIDERS AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CHILD CARE.

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

By Senators Blue, Purcell, Swindell; and Jones:

**S.B. 1119**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE CONSOLIDATION OF ALL REGULATORY FUNCTIONS REGARDING THE MONITORING OF PRIVATE EARLY CARE AND EDUCATION PROVIDERS FOR COMPLIANCE WITH THE MORE AT FOUR PROGRAM AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE.

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

By Senator Foriest:

**S.B. 1120**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT.

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

By Senator Foriest:

**S.B. 1121**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO DISPOSE OF CITY-OWNED REAL PROPERTY BY PUBLIC OR PRIVATE SALE AND TO LEASE CITY-OWNED REAL PROPERTY FOR SUCH TERMS AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL.

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

By Senator Foriest:

**S.B. 1122**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT.

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

By Senator Soles:

**S.B. 1123**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE.

Referred to the **Finance Committee**.

By Senators Hunt; Allran, Blue, Clary, Preston, Rucho and Tillman:

**S.J.R. 1124**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AMEND THE PERMIT EXTENSIONS ACT OF 2009.

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

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By Senators Stevens, Foriest; and Jones:

**S.B. 1125**, A BILL TO BE ENTITLED AN ACT TO FUND ENROLLMENT GROWTH FOR THE COMMUNITY COLLEGES.

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

By Senators Stevens, Foriest; and Jones:

**S.B. 1126**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EQUIPMENT FOR COMMUNITY COLLEGES.

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

By Senators Stevens, Foriest; and Jones:

**S.B. 1127**, A BILL TO BE ENTITLED AN ACT TO FUND AN ENROLLMENT GROWTH RESERVE FOR THE COMMUNITY COLLEGES.

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

By Senators Stevens, Foriest; and Jones:

**S.B. 1128**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO TEACH DEVELOPMENTAL COURSES AND COLLEGE SUCCESS SKILLS COURSES AT ANY TIME DURING THE YEAR, INCLUDING THE SUMMER TERM, AND TO EARN BUDGET FTE FOR THE COURSES.

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

By Senator Boseman:

**S.B. 1129**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GAP FUNDING FOR THE CAPE FEAR SKYWAY BRIDGE.

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

By Senator Goss:

**S.B. 1130**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW.

Referred to the **Judiciary II Committee**.

By Senator Goss:

**S.B. 1131**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH CAROLINA TURNPIKE AUTHORITY.

Referred to the **Finance Committee**.

By Senator Goss:

**S.B. 1132**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO TRANSFER EMPLOYEES IN CERTAIN CIRCUMSTANCES; SPECIFY THE DATE OF EXPIRATION

OF A COMMERCIAL DRIVERS LICENSE; PROHIBIT SPECIFIED LICENSE PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY ISSUANCE OF REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN FREE LICENSE PLATES; ELIMINATE THE FEE FOR REGISTRATION RENEWAL BY MAIL; REPEAL A REQUIREMENT FOR SEPARATE REGISTRATION OF LOGGING TRUCKS; AUTHORIZE INCIDENT MANAGEMENT ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; AND PROVIDE THAT FAILURE TO COMPLY WITH THE LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING, SUSPENDING, OR REVOKING A DEALER LICENSE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Finance Committee**.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 9:34 A.M.

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## ONE HUNDRED AND FIFTEENTH DAY

Senate Chamber  
Monday, May 17, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, we are indeed grateful for the much needed rain that has fallen and is falling across our State. We also realize only two days into the Session and the Senators are making final preparations to vote on and send their version of the budget to the House this week. We pray your blessing on their deliberations. We all wish that the economy were better. Forgive us for forgetting your reminder through scripture that in this world we will have difficult times. Teach us the lessons of true discipleship. Help us count and pay the cost without complaint or regret. If we cannot serve you without bearing some burdens, then let us still find joy and commitment in the service to which you've called us. Let this thought be in our hearts and minds this week, O God. Amen."

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The Chair grants leaves of absence for tonight to Senator Blake, Senator Dannelly, and Senator Soles.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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 Lanelle Dibble Hunter from Cary, North Carolina, who is serving the Senate as Nurse of the Day.*

#### WITHDRAWAL FROM COMMITTEE

**H.B. 524** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO CLARIFY SIGNATORIES ON VOLUNTARY ANNEXATION REQUESTS; TO REQUIRE VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF PROPERTY OWNERS IN DISTRESSED AREAS; TO PERMIT VOLUNTARY ANNEXATION ON REQUEST OF SEVENTY-FIVE PERCENT OF RESIDENT HOUSEHOLDS IN DISTRESSED AREAS; TO PROHIBIT THE USE OF STREETS OR STREET RIGHT-OF-WAYS TO ESTABLISH CONTIGUITY FOR PURPOSES OF VOLUNTARY AND INVOLUNTARY ANNEXATION; TO INCREASE FROM FIVE THOUSAND TO TEN THOUSAND THE MUNICIPAL POPULATION THRESHOLD FOR DETERMINING THE PROCEDURE FOR INVOLUNTARY ANNEXATION; TO REQUIRE THE PROVISION OF AT LEAST TWO MEANINGFUL SERVICES WITHIN EXISTING CORPORATE BOUNDARIES PRIOR TO INITIATING AN INVOLUNTARY ANNEXATION; TO REQUIRE THE EXTENSION OF WATER AND SEWER LINES WITHIN THREE YEARS OF THE ANNEXATION TO ALL PROPERTIES WITHIN THE ANNEXED AREA; TO REQUIRE FINANCIAL IMPACT STATEMENTS SUBMITTED WITH A PROPOSED ANNEXATION TO BE BASED UPON A FIVE-YEAR PERIOD; TO ALLOW INVOLUNTARY ANNEXATION OF AREAS COMPLETELY SURROUNDED BY THE MUNICIPAL CORPORATE LIMITS; TO PROHIBIT INVOLUNTARY ANNEXATION OF AREAS BEING SERVED BY A WATER AND SEWER SYSTEM OPERATED BY A MUNICIPALITY OTHER THAN THE ANNEXING MUNICIPALITY; TO INCREASE THE URBAN DENSITY STANDARDS FOR INVOLUNTARY ANNEXATION BY MUNICIPALITIES BY REQUIRING AT LEAST SIXTY-FIVE PERCENT OF THE LOTS TO BE IN USE AND THE RESIDENTIAL LOTS TO BE AT LEAST TWO AND ONE-HALF ACRES IN SIZE; BY ADDING AN URBAN DENSITY TEST OF RESIDENTIAL POPULATION EQUAL TO AT LEAST TWO AND THREE-TENTHS PERSONS PER ACRE FOR INVOLUNTARY ANNEXATION BY SMALL MUNICIPALITIES; TO REQUIRE ALL OF A SUBDIVISION TO BE ANNEXED IF THE ANNEXATION IS INVOLUNTARY; TO AMEND THE PROCEDURE FOR

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ANNEXATION TO CLARIFY THE TIME LINE AND PROVIDE ADDITIONAL INFORMATION TO THE PROPERTY OWNERS AT THE PUBLIC HEARING AND PUBLIC INFORMATIONAL MEETING; TO REQUIRE THE NOTICE OF PUBLIC HEARING TO BE SENT TO PROPERTY OWNERS BY CERTIFIED MAIL; TO REQUIRE THE EFFECTIVE DATE OF VOLUNTARY CONTIGUOUS AND INVOLUNTARY ANNEXATION TO BE THE JUNE 30 NEXT FOLLOWING THE ADOPTION OF THE ANNEXATION; TO REQUIRE MUNICIPALITIES TO REPORT TO THE LOCAL GOVERNMENT COMMISSION ON THE PROVISION OF MEANINGFUL SERVICES FOLLOWING THE ADOPTION OF AN ANNEXATION ORDINANCE; TO EXTEND THE TIME PERIOD A PROPERTY OWNER MAY APPEAL TO THE COURTS FOLLOWING AN INVOLUNTARY ANNEXATION ORDINANCE FROM SIXTY DAYS TO NINETY DAYS; TO ALLOW THE COURT TO ACCEPT ARGUMENT REGARDING THE PROVISION OF MEANINGFUL SERVICE TO THE NEWLY ANNEXED AREA; TO PROVIDE OVERSIGHT OF INVOLUNTARY ANNEXATION THROUGH A REFERENDUM, THAT MUST COINCIDE WITH A GENERAL MUNICIPAL ELECTION, OF REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA UPON A VERIFIED PETITION SIGNED BY AT LEAST FIFTEEN PERCENT OF THE TOTAL OF THE REGISTERED VOTERS OF THE MUNICIPALITY AND THE PROPOSED ANNEXATION AREA AS SHOWN BY THE REGISTRATION; TO REQUIRE OVERSIGHT OF INVOLUNTARY ANNEXATIONS BY THE LOCAL GOVERNMENT COMMISSION BY REQUIRING A FISCAL FEASIBILITY ASSESSMENT; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO PROHIBIT FURTHER ANNEXATION IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE SERVICES IN ACCORDANCE WITH AN INVOLUNTARY ANNEXATION WITHIN THREE YEARS; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO ABATE PROPERTY TAXES FOR PROPERTY OWNERS WITHOUT THE REQUIRED SERVICES WITHIN THREE YEARS OF AN INVOLUNTARY ANNEXATION; TO REQUIRE THE LOCAL GOVERNMENT COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON INVOLUNTARY ANNEXATIONS; TO AUTHORIZE MUNICIPALITIES TO CONTRACT WITH PROPERTY OWNERS FOR THE EXTENSION OF WATER SERVICE AND SEWER SERVICE AND NONAPPEAL OF AN INVOLUNTARY ANNEXATION, WHICH MAY RUN WITH THE LAND; TO AUTHORIZE CITIES AND COUNTIES TO DEVELOP BINDING UTILITY SERVICE PLANS; TO PERMIT THE PAYMENT OF ASSESSMENTS FOR THE INSTALLATION OF WATER OR SEWER SERVICE FOLLOWING AN INVOLUNTARY ANNEXATION OVER A TWENTY-YEAR PERIOD; TO ALLOW THE PAYMENT OF TAP FEES OVER A FIVE-YEAR PERIOD; TO GIVE PRIORITY TO A MUNICIPALITY ANNEXING A DISTRESSED AREA

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WHEN THAT MUNICIPALITY APPLIES FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND LOANS OR GRANTS FROM THE WASTEWATER RESERVE OR DRINKING WATER RESERVE, referred to the **Finance Committee** on May 12.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill No. 3 be withdrawn from the **Finance 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. 3 withdrawn from the **Finance Committee** and re-refers the measure to the **Rules and Operations of the Senate Committee**.

### SENATE PAGES

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

Hayden Abene, Clayton; Summer Allen, Emerald Isle; Margaret Anagnos, Boone; Graham R. Barnes, Manteo; Ben Bollinger, Shallotte; Iula Brown, Fayetteville; Jazmin Efferson, Indian Trail; Erica Frederick, Wendell; Grant Goethe, Wake Forest; Ulysses Graham, Clayton; Mercedes Haywood, Rocky Mount; Patrick Hernandez, Emerald Isle; Kayla Howard, Charlotte; Mary Quinn Lemond, Belmont; Summer Mathis, Emerald Isle; Kaley McCloskey, Elon; Michael Peiffer, Franklinton; Eli Prevost, Carthage; Nick Pro, Raleigh; Seth Riggins, Garner; Christina Schaefer, Garner; Joshua Simmering, Kernersville; Ralph Stockton IV, Raleigh; Terrence Walker-White, Fayetteville; Taylor Watts, Emerald Isle and Brittany Wheeling, Mount Holly.

### REMOVAL OF BILL CO-SPONSOR

Senator Allran requests that he be removed as a sponsor of previously introduced legislation:

**S.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE MARRIAGE BETWEEN A MAN AND A WOMAN IS THE ONLY DOMESTIC LEGAL UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE.

Upon motion of Senator Basnight, seconded by Senator Graham, the Senate adjourns subject to introduction of bills, to meet Tuesday, May 18, 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 Senator Albertson:

**S.B. 1133**, A BILL TO BE ENTITLED AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES.

Referred to the **Finance Committee**.

By Senators Clary, Berger of Rockingham, Allran, Tillman, Hartsell, Apodaca, Brock, Goodall, Blake, Brown, Brunstetter, East, Preston, Hunt, Rucho, Rouzer; Forrester, Jacumin and Stevens:

**S.J.R. 1134**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROTECT THE FREEDOM TO CHOOSE HEALTH CARE AND HEALTH INSURANCE.

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

By Senator Swindell:

**S.B. 1135**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK.

Referred to the **Finance Committee**.

By Senators Rucho; Bingham, Brown, Brunstetter, Clodfelter, Dannelly, Forrester, Goodall, Graham, Hoyle, Jones, Preston, Rouzer, Stevens and Tillman:

**S.B. 1136**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Blue; Hunt, Nesbitt, Stein and Stevens:

**S.J.R. 1137**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT J. "BOB" HENSLEY, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

By Senators Foriest, Dorsett, Hartsell; and Atwater:

**S.B. 1138**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT FOR STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Foriest, Dorsett, Hartsell, Stevens; and Atwater:

**S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE SYSTEM TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO

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USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Foriest, Tillman, Dorsett, Hartsell and Stevens:

**S.B. 1140**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Foriest, Tillman, Dorsett, Hartsell, Stevens; and Atwater:

**S.B. 1141**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON SPORTS INJURIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Foriest, Dorsett, Hartsell; and Atwater:

**S.B. 1142**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ALLOCATE UP TO TWO MILLION DOLLARS TO SUPPORT POSITIONS IN THE SCHOOL SUPPORT DIVISION AT THE DEPARTMENT OF PUBLIC INSTRUCTION AND TO USE THE FUNDS ALSO TO HELP LOCAL SCHOOL ADMINISTRATIVE UNITS WITH GREEN BUILDING DESIGN OVERSIGHT AND ARCHITECTURAL SUPPORT FOR FUNCTIONAL AND SANITARY ENVIRONMENTAL PRACTICES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Foriest, Hartsell, Tillman, Dorsett and Stevens:

**S.B. 1143**, A BILL TO BE ENTITLED AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

By Senators Hartsell, Vaughan, and Goss:

**S.B. 1144**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE CHANGE ADOPTED BY THE WILDLIFE RESOURCES COMMISSION AND APPROVED BY THE RULES REVIEW COMMISSION TO SHORTEN THE BOW HUNTING SEASON FOR DEER BY ONE WEEK AND BEGIN THE MUZZLE-LOADING SEASON FOR DEER ONE WEEK EARLIER.

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

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By Senators Hartsell; and Brock:

**S.B. 1145**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MULTICAMPUS CENTER FUNDS FOR ROWAN-CABARRUS COMMUNITY COLLEGE.

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

By Senator Hartsell:

**S.B. 1146**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN ORDINANCE.

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

By Senators Purcell; Allran, Atwater and Forrester:

**S.B. 1147**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PREVENT INFANT MORTALITY IN NORTH CAROLINA.

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

By Senators Purcell; Atwater and Forrester:

**S.B. 1148**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION OF A PROVEN COMMUNITY EDUCATION CAMPAIGN RELATED TO STROKE, 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. 1149**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MULTICAMPUS CENTER FUNDS FOR STANLY COMMUNITY COLLEGE.

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

By Senators Purcell; and Atwater:

**S.B. 1150**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SPECIAL OLYMPICS.

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

By Senators Purcell, Dannelly, Preston, Tillman, Walters; and Atwater:

**S.B. 1151**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

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By Senators Purcell, Dannelly, Davis, Preston, Tillman and Walters:

**S.B. 1152**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

By Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; and Allran:

**S.B. 1153**, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

By Senators Stevens; Bingham, Foriest and Swindell:

**S.B. 1154**, 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 AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA.

Referred to the **Finance Committee**.

By Senators Forrester; Allran, Bingham, Blake, Brock, Brown, Jacumin, Rouzer and Tillman:

**S.B. 1155**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX RATE.

Referred to the **Finance Committee**.

By Senators Forrester, Jacumin; Apodaca, Blake, Brock, Brown, Brunstetter, Goodall, Rouzer, Snow and Tillman:

**S.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE MARRIAGE BETWEEN A MAN AND A WOMAN IS THE ONLY DOMESTIC LEGAL UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE.

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

By Senators Forrester; Allran, Blake, Brock, Brown, Goodall, Rouzer and Tillman:

**S.B. 1157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA RELATING TO HEALTH CARE SERVICES.

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

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By Senator Brown:

**S.B. 1158**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SIGNAGE DIRECTING TRAFFIC TO THE VIETNAM VETERANS' MEMORIAL AND THE BEIRUT MEMORIAL.

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

By Senator Goss:

**S.B. 1159**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; MODIFY THE EFFECT OF MUNICIPAL PARTICIPATION ON DEPARTMENT OF TRANSPORTATION PROJECTS; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Hartsell; Atwater, Bingham, Goss, Purcell and Vaughan:

**S.B. 1160**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO TEST FOR HAZARDOUS SUBSTANCES ASSOCIATED WITH THE YADKIN PROJECT.

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

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 7:35 P.M.

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May 17, 2010

**ONE HUNDRED AND SIXTEENTH DAY**

Senate Chamber  
Tuesday, May 18, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"It is good, O God, that it's not just custom each day that brings us into this quiet moment of prayer, but our deep sense of need. We confess that sometimes we talk too much and listen too little, worry often, but seldom turn over our worries to you. When we find ourselves needing help, give us the grace to seek your help during this time of prayer. Then we shall be centered for what lies ahead each day. In your holy name we pray, Amen."

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, May 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 Demetria (Deddie) Craig from Chapel Hill, North Carolina and Kim Hutchinson from Winston-Salem, North Carolina, who are serving the Senate as Nurses of the Day.*

The Senate recesses at 11:08 A.M. to reconvene at 4:00 P.M. subject to introduction of bills and resolutions.

**RECESS****INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Senators Hoyle and Berger of Franklin:

**S.B. 1161**, 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 Hartsell:

**S.B. 1162**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO

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VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator Hartsell:

**S.B. 1163**, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator Hartsell:

**S.B. 1164**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF WAYS TO ENSURE THAT THE GENERAL STATUTES PROPERLY AND UNIFORMLY REFER TO FEDERAL AND STATE MILITARY ORGANIZATIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

By Senator Hartsell:

**S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

By Senator Hartsell:

**S.B. 1166**, A BILL TO BE ENTITLED AN ACT GRANTING COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS.

Referred to the **Finance Committee**.

By Senators Clodfelter and Atwater:

**S.B. 1167**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (2) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS MUST BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS MUST BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (3) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (4) AMEND CIVIL PENALTIES FOR CERTAIN

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AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (5) AMEND REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; AND (7) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Clodfelter; and Hartsell:

**S.B. 1168**, A BILL TO BE ENTITLED AN ACT TO CREATE THE AVIATION MANAGEMENT DIVISION; TO REQUIRE THE SALE OF CERTAIN STATE AIRCRAFT; TO CONSOLIDATE STATE AIRCRAFT FLEETS; AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE OF THE NORTH CAROLINA GENERAL ASSEMBLY.

Referred to the **Transportation Committee**.

By Senators Clodfelter and Kinnaird:

**S.B. 1169**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO USE INJUNCTIVE RELIEF TO ENSURE COMPLIANCE WITH INTERBASIN TRANSFER LAWS AND TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Clodfelter and Kinnaird:

**S.B. 1170**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE DEVELOPMENT OF BASINWIDE HYDROLOGIC MODELS, TO IMPROVE PUBLIC ACCESS TO WATER AND WATER RESOURCES FUNDING INFORMATION, AND TO PROVIDE FOR REPORTING ON WATER USE EFFICIENCY IN THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Clodfelter; Blake, Clary, Dickson and Tillman:

**S.B. 1171**, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY ELIGIBILITY FOR JOB CREATION TO KEEP NORTH CAROLINA COMPETITIVE.

Referred to the **Finance Committee**.

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By Senator Clodfelter:

**S.B. 1172**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT TAXPAYERS ARE NOT SUBJECTED TO PENALTIES FOR REQUESTING A HEARING OR FOR FAILING TO FILE A RETURN IN A MANNER THAT IS PROHIBITED BY LAW.

Referred to the **Finance Committee**.

By Senators Hartsell, Vaughan, Goss; and East:

**S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE CHANGE ADOPTED BY THE WILDLIFE RESOURCES COMMISSION AND APPROVED BY THE RULES REVIEW COMMISSION TO ALLOW THE USE OF CROSSBOWS WITHOUT PERMIT DURING BOW AND ARROW SEASONS AND TO AUTHORIZE THE USE OF CROSSBOWS DURING FIREARMS SEASONS.

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

By Senator Garrou:

**S.J.R. 1174**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE AND TO TRANSFER ITS DUTIES AND FUNCTIONS TO THE OFFICE OF GENERAL ADMINISTRATION OF THE UNIVERSITY OF NORTH CAROLINA AND THE OFFICE OF STATE BUDGET AND MANAGEMENT.

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

By Senator Garrou:

**S.B. 1175**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE AND TO TRANSFER ITS DUTIES AND FUNCTIONS TO THE OFFICE OF GENERAL ADMINISTRATION OF THE UNIVERSITY OF NORTH CAROLINA AND THE OFFICE OF STATE BUDGET AND MANAGEMENT.

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

By Senators Clodfelter, Blue, Brunstetter, Hartsell, Hoyle, Jenkins, Stein and Tillman:

**S.B. 1176**, A BILL TO BE ENTITLED AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS.

Referred to the **Finance Committee**.

By Senators Clodfelter, Blue, Brunstetter, Hartsell, Hoyle, Jenkins, Stein, Tillman; and Snow:

**S.B. 1177**, 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**.

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By Senators Bingham; Allran, Berger of Franklin, Berger of Rockingham, Brunstetter, Davis, East, Foriest, Forrester, Garrou, Goss, Hartsell, Hunt, Jacumin, Jenkins, Jones, McKissick, Preston, Purcell, Queen, Rouzer, Snow, Stevens, Swindell, Tillman, Vaughan and Walters:

**S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

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

By Senators Brunstetter; Forrester and Tillman:

**S.B. 1179**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Hartsell; and Stevens:

**S.B. 1180**, A BILL TO BE ENTITLED AN ACT TO SUBSTITUTE GENDER NEUTRAL TERMS FOR "BUSINESSMAN," "CREWMAN," "ENLISTED MAN," "PER MAN," "POLICEMAN," "WORKMAN," AND, AS APPROPRIATE, REFERENCES TO "MAN" WHERE "MAN" IS USED TO REFER TO A GENERIC HUMAN BEING AND NOT TO A MALE INDIVIDUAL, AND TO MAKE TECHNICAL CORRECTIONS IN THE SECTIONS BEING AMENDED.

Referred to the **Judiciary II Committee**.

By Senators Swindell, Garrou, Dannelly, and Albertson:

**S.B. 1181**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

By Senator Swindell:

**S.B. 1182**, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR LAW ENFORCEMENT SUPPORT SERVICES IN THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY.

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

By Senators Stein, Clodfelter, Blue, Brunstetter, Hartsell, Hoyle, Jenkins and Tillman:

**S.B. 1183**, 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**.

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By Senator Stein:

**S.B. 1184**, A BILL TO BE ENTITLED AN ACT TO TAX CIGARS THAT ARE DESIGNED TO LOOK LIKE CIGARETTES THE SAME AS CIGARETTES.

Referred to the **Finance Committee**.

By Senators Hartsell, Clodfelter, Blue, Brunstetter, Hoyle, Jenkins, Stein and Tillman:

**S.B. 1185**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE APPLICATION OF THE SALES TAX ON ACCOMMODATIONS BY RECOGNIZING THAT THE SALES PRICE IS THE PRICE PAID BY THE CONSUMER REGARDLESS OF WHETHER IT IS PAID TO THE ACCOMMODATIONS PROVIDER OR A THIRD PARTY.

Referred to the **Finance Committee**.

By Senators Hartsell, Clodfelter, Blue, Brunstetter, Hoyle, Jenkins, Stein and Tillman:

**S.B. 1186**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND EQUALIZE THE ADMISSIONS TAX BY EXTENDING IT TO INTERNET TICKET RESELLERS, TO APPLY THE TAX ONLY TO THE CHARGE FOR ADMISSION TO AN EVENT AND NOT TO EXTRA AMENITIES, AND TO REQUIRE THE SECRETARY OF REVENUE TO PROVIDE ADVANCE NOTICE OF CERTAIN REVISED INTERPRETATIONS OF THE DEPARTMENT.

Referred to the **Finance Committee**.

By Senators Tillman, Clodfelter, Blue, Brunstetter, Hartsell, Hoyle, Jenkins, Stein; and East:

**S.B. 1187**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXCEPTIONS TO OWNERSHIP REQUIREMENTS FOR AGRICULTURAL LAND UNDER THE PROPERTY TAX PRESENT-USE VALUE PROGRAM.

Referred to the **Finance Committee**.

By Senators Brunstetter, Clodfelter, Blue, Hartsell, Hoyle, Jenkins, Stein; Forrester and Goodall:

**S.B. 1188**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE COLLECTION OF TAX DEBTS AND OTHER DEBTS OWED THE STATE.

Referred to the **Finance Committee**.

By Senators Swindell, Dorsett, Forrester, Queen, Bingham; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1189**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT

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DAY CARE PROGRAMS AND ADULT DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

By Senators Swindell, Forrester, Bingham, Queen, Dorsett; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1190**, A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

By Senators Swindell, Bingham, Dorsett, Forrester, Queen; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1191**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

By Senators Swindell, Bingham, Dorsett, Forrester, Queen; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1192**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE, AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

By Senators Swindell, Dorsett, Bingham, Forrester, Queen; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1193**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

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By Senators Swindell, Queen, Bingham, Forrester, Dorsett; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1194**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

By Senators Brunstetter; East, Forrester, Garrou, Goodall and Tillman:

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL SPECIAL REGISTRATION PLATE.

Referred to the **Finance Committee**.

By Senators Hartsell and Clodfelter:

**S.B. 1196**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PORTION OF THE DISCOUNT ALLOWED CIGARETTE DISTRIBUTORS FOR THEIR EXPENSES IN STAMPING CIGARETTES IF THE DISTRIBUTORS ARE NO LONGER REQUIRED TO STAMP CIGARETTES.

Referred to the **Finance Committee**.

By Senators Hartsell and Clodfelter:

**S.B. 1197**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF THE CIGARETTE EXCISE TAX AND TO DETER THE UNLAWFUL SALE OF NON-TAX-PAID CIGARETTES BY REINSTATING THE REQUIREMENT THAT CIGARETTES BEAR A STAMP INDICATING PAYMENT OF THE TAX.

Referred to the **Finance Committee**.

By Senators Swindell, Foriest, Brown; Atwater, Davis, Goss, Hartsell, Purcell and Snow:

**S.B. 1198**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE EDUCATION CABINET TO SET AS A PRIORITY AN INCREASE IN THE NUMBER OF POSTSECONDARY CREDENTIALS IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND TO SUPPORT EFFORTS TO ACHIEVE THAT PRIORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Swindell, Foriest, Brown; Atwater, Davis, Goss, Hartsell, Purcell and Snow:

**S.B. 1199**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA SCHOOL OF BIOTECHNOLOGY AND

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AGRISCIENCE TO BE LOCATED AT THE VERNON G. JAMES RESEARCH AND EXTENSION CENTER, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Swindell, Foriest, Brown; Atwater, Davis, Goss, Purcell and Snow:

**S.B. 1200**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR PLANNING AND FUNDING OF PILOT PROGRAMS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Swindell, Foriest, Brown; Atwater, Davis, Goss, Hartsell, Purcell and Snow:

**S.B. 1201**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL OPERATING FLEXIBILITY TO COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Swindell, Foriest, Brown; Atwater, Davis, Goss, Hartsell, Purcell and Snow:

**S.B. 1202**, A BILL TO BE ENTITLED AN ACT TO EXPAND MODELS OF COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS TO INCLUDE FIVE-YEAR CAREER ACADEMIES WITHIN EXISTING SCHOOLS AND TO REQUIRE THAT CAREER ACADEMIES APPROVED AS COOPERATIVE INNOVATIVE HIGH SCHOOLS NOT RECEIVE A SEPARATE SCHOOL CODE AND THAT RECORDS BE MAINTAINED FOR STUDENTS ENROLLED IN THE CAREER ACADEMIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Swindell, Dorsett, Bingham, Queen, Forrester; Atwater, Davis, Goss, Purcell, Snow and Vaughan:

**S.B. 1203**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

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By Senators Swindell, Dorsett, Queen, Bingham, Forrester; Atwater, Davis, Purcell, Snow and Vaughan:

**S.B. 1204**, A BILL TO BE ENTITLED AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Garrou for the **Appropriations/Base Budget Committee**:

**S.B. 897**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill with amendments No. 1 and No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35431, which changes the title to read **S.B. 897** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, with Amendments No. 1 and No. 2, is adopted and engrossed.

Upon motion of Senator Garrou, the Committee Substitute bill is re-referred to the **Finance Committee**.

### ADDITIONAL SPONSORS

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

**S.B. 1161**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TANF BLOCK GRANT FOR BOYS AND GIRLS CLUBS.

**S.B. 1166**, A BILL TO BE ENTITLED AN ACT GRANTING COMMUNITY COLLEGES ADDITIONAL FLEXIBILITY WITH REGARD TO INVESTMENTS.

**S.B. 1179**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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**S.B. 1188**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE COLLECTION OF TAX DEBTS AND OTHER DEBTS OWED THE STATE.

**S.B. 1195**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL SPECIAL REGISTRATION PLATE.

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

**S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

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

**S.B. 1156**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE MARRIAGE BETWEEN A MAN AND A WOMAN IS THE ONLY DOMESTIC LEGAL UNION THAT SHALL BE VALID OR RECOGNIZED IN THIS STATE.

**S.B. 1157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA RELATING TO HEALTH CARE SERVICES.

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

**S.B. 1150**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SPECIAL OLYMPICS.

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

**S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

Upon motion of Senator Basnight, seconded by Senator Garrou, the Senate adjourns subject to receipt of committee reports and referral of bills, to meet Wednesday, May 19, at 1:00 P.M.

May 18, 2010

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 897** (Committee Substitute with Appropriations/Base Budget Amendments No. 1 and No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, with an unfavorable report as to Committee Substitute bill, but favorable as to Committee Substitute bill No. 2. (Appropriations/Base Budget Amendments No. 1 and No. 2 are engrossed in the Finance Committee Substitute.)

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 35430, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 7:08 P.M.

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**ONE HUNDRED AND SEVENTEENTH DAY**

Senate Chamber  
Wednesday, May 19, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, offices and titles have their significance and I have no desire to dismiss rich tradition. However, as chaplain, I believe all priesting, teaching and pastoring cannot be done only by those with official credentials. Over the years I have been priested, rabbied and pastored by many of the members here as have others. They build bridges I could never construct. They encourage me along passages I feared. They wired circuitry between God's energy and the hopelessness of so many people. Early in this session, I want to thank you, O God, for these men and women. Many of them have exhibited the most important credentials, that is faith in you and hope for others. Amen."

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, May 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.

May 19, 2010

*The Chair extends privileges of the floor to Rausa McManus from Durham, North Carolina, who is serving the Senate as Nurse of the Day.*

#### WITHDRAWAL FROM COMMITTEE

**H.B. 1249**, A BILL TO BE ENTITLED AN ACT ESTABLISHING DEEP VEIN THROMBOSIS AWARENESS MONTH, referred to the **Rules and Operations of the Senate Committee** on May 19, 2009.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Commerce 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 **Commerce Committee**.

#### CALENDAR

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

**S.B. 897** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, upon second reading.

Senator Tillman offers Amendment No. 1 which fails of adoption (20-29).

Senator Garrou calls the previous question on the passage of the Committee Substitute bill No. 2, seconded by Senator Hoyle, which motion prevails (30-19).

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 32, noes 17, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Boseman, Clodfelter, Davis, Dickson, Dorsett, Foriest, Garrou, Goss, Graham, Hartsell, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Shaw, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---32.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho and Tillman---17.

The Committee Substitute bill No. 2 remains on the Calendar for Thursday, May 20, upon third reading.

Upon motion of Senator Basnight, seconded by Senator Purcell, the Senate adjourns subject to introduction of bills, to meet Thursday, May 20, at 10:00 A.M.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

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

May 19, 2010

By Senators Albertson; Atwater, Bingham, Boseman, Davis, Goss, Hoyle, Jenkins, Queen, Stein and Swindell:

**S.B. 1205**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIOFUELS CENTER OF NORTH CAROLINA.

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

By Senator Boseman:

**S.B. 1206**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GAP FUNDING FOR THE CAPE FEAR SKYWAY BRIDGE.

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

By Senator Boseman:

**S.B. 1207**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO ALLOW FOR MEMBERS OF THE ABC BOARD TO SERVE AT THE PLEASURE OF THE BOARD OF COUNTY COMMISSIONERS.

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

By Senator Walters:

**S.B. 1208**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 13TH SENATORIAL DISTRICT.

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

By Senators Hoyle, Blue, Brunstetter, Hartsell, Jenkins and Tillman:

**S.B. 1209**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A LOCAL GOVERNMENT THAT COMPETES WITH PRIVATE COMPANIES IN PROVIDING COMMUNICATION SERVICES HAS THE SUPPORT OF ITS CITIZENS IN FINANCING THOSE SERVICES AND TO CONTINUE THE REVENUE LAWS STUDY COMMITTEE'S REVIEW OF THE TAX AND ECONOMIC DEVELOPMENT IMPACTS OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SERVICES.

Referred to the **Finance Committee**.

By Senator Hoyle:

**S.B. 1210**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS TO INCREASE LICENSURE FEES UNDER THE ATHLETIC TRAINERS LICENSING ACT.

Referred to the **Finance Committee**.

By Senators Goss; Albertson, Atwater, Berger of Franklin, Bingham, Boseman, Dorsett, Foriest, Hartsell, Hoyle, Jenkins, Queen, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters:

**S.B. 1211**, 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 EXPAND THE INDUSTRIAL EXTENSION SERVICES PROVIDED THROUGH NORTH CAROLINA STATE UNIVERSITY ACROSS THE STATE.

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

By Senator Clodfelter:

**S.B. 1212**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL GOVERNMENT OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND AND TO ALLOW EACH UNIT OF LOCAL GOVERNMENT TO ESTABLISH A SEPARATE OPEB TRUST FUND THAT MAY THEN BE INVESTED BY THE DEPARTMENT OF STATE TREASURER.

Referred to the **Finance Committee**.

By Senators Clodfelter; and Hartsell:

**S.B. 1213**, A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Judiciary II Committee**.

By Senator Jenkins:

**S.B. 1214**, A BILL TO BE ENTITLED AN ACT TO MAKE CORRESPONDING CHANGES TO THE MOTOR VEHICLES LAWS TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION, TO REQUIRE DECLARED REGISTRATION LICENSE WEIGHT TO BE FOR THE MAXIMUM WEIGHT FOR ALL VEHICLES THAT ARE PROVIDED EXEMPTIONS UNDER G.S. 20-118, AND TO MODIFY THE STATUTE OF LIMITATION FOR CIVIL SUITS RELATED TO UNCOLLECTED CIVIL FINES THAT HAVE BEEN ASSESSED AND REMAIN OWED TO THE STATE CIVIL FINES AND FORFEITURES FUND.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators Jenkins, Blue, Brunstetter, Hartsell, Hoyle, Stein and Tillman:

**S.B. 1215**, A BILL TO BE ENTITLED AN ACT TO INCREASE

May 19, 2010

UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES.

Referred to the **Finance Committee**.

By Senators Blue; and Atwater:

**S.B. 1216**, A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT.

Referred to the **Commerce Committee**.

By Senators Hartsell; and Atwater:

**S.B. 1217**, A BILL TO BE ENTITLED AN ACT TO CORRECT THE AUTHORIZATION FOR THE COMMISSION TO STUDY THE GOVERNANCE AND ADEQUACY OF THE INVESTMENT AUTHORITY OF VARIOUS STATE-OWNED FUNDS FOR THE PURPOSES OF ENHANCING THE RETURN ON INVESTMENTS, AS RECOMMENDED BY THE COMMISSION TO STUDY THE GOVERNANCE AND ADEQUACY OF THE INVESTMENT AUTHORITY OF VARIOUS STATE-OWNED FUNDS FOR THE PURPOSES OF ENHANCING THE RETURN ON INVESTMENTS.

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

By Senators Hartsell and Clodfelter:

**S.B. 1218**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE OVERSIGHT OF STATE GRANTS TO NON-STATE ENTITIES AND TO INCREASE THE ACCOUNTABILITY OF GRANTEEES WHO RECEIVE STATE GRANTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senator Hartsell:

**S.B. 1219**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee** and upon a favorable report, referred to the **Finance Committee**.

May 19, 2010

By Senators Stein and Albertson:

**S.B. 1220**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, THE DEPARTMENT OF COMMERCE, AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO EVALUATE THE CARBON SEQUESTRATION POTENTIAL OF NATURAL AND WORKING LANDSCAPES IN THE STATE; TO STUDY OTHER OPPORTUNITIES TO DEVELOP CARBON OFFSETS WITHIN THE STATE; AND TO STUDY THE FEASIBILITY AND ADVISABILITY OF ESTABLISHING A CARBON OFFSET PROGRAM IN THE STATE, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senators Stein and Albertson:

**S.B. 1221**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION ON CLIMATE CHANGE AND TO ESTABLISH THE ADVISORY COUNCIL TO THE NORTH CAROLINA COMMISSION ON CLIMATE CHANGE, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senators Stein and Albertson:

**S.B. 1222**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS (1) TO ESTABLISH THE COASTAL ADAPTATION RESOURCES MAPPING AND MONITORING PROGRAM AND (2) TO EXPAND THE NORTH CAROLINA ENVIRONMENT AND CLIMATE OBSERVING NETWORK; IN ORDER TO PROVIDE FOR MONITORING OF THE ENVIRONMENTAL IMPACTS OF GLOBAL CLIMATE CHANGE IN NORTH CAROLINA AND FOR IMPROVING WEATHER AND CLIMATE DATA COLLECTION IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senators Stein and Albertson:

**S.B. 1223**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP THE NORTH CAROLINA CLIMATE CHANGE ADAPTATION STRATEGY, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senators Stein and Albertson:

**S.B. 1224**, A BILL TO BE ENTITLED AN ACT TO DIRECT STATE AGENCIES TO REVIEW THEIR ENVIRONMENTAL PROGRAMS AND RECOMMEND WHETHER THE ENVIRONMENTAL PROGRAMS



SHOULD INCLUDE CONSIDERATION OF GLOBAL CLIMATE CHANGE, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senators Stein and Albertson:

**S.B. 1225**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENERGY POLICY COUNCIL TO IDENTIFY, STUDY, AND RECOMMEND POLICIES TO INCREASE ENERGY EFFICIENCY AND CONSERVATION, PROMOTE RENEWABLE ENERGY RESOURCES, AND REDUCE CARBON EMISSIONS, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

By Senator Jones:

**S.B. 1226**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY TO INVENTORY AND EVALUATE ANTIPOVERTY EFFORTS IN THE STATE AND TO WRITE A HISTORY OF THE STATE'S EFFORTS TO REDUCE POVERTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senators Jones; and Berger of Franklin:

**S.B. 1227**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE NUMBER OF CHARTER SCHOOLS FROM 100 TO 106; TO GIVE PREFERENCE TO SCHOOLS IN CERTAIN LOW-WEALTH COUNTIES; TO REQUIRE NEW CHARTER SCHOOLS TO PROVIDE A FREE AND REDUCED PRICE LUNCH PROGRAM; AND TO REQUIRE EACH NEW CHARTER SCHOOL TO ACCEPT A MINIMUM NUMBER OF STUDENTS ELIGIBLE FOR THE FREE AND REDUCED PRICE LUNCH PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senators Jones; and Berger of Franklin:

**S.B. 1228**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INCLUSION OF PERSONAL FINANCE AND PARENTHOOD TRAINING IN NORTH CAROLINA'S MIDDLE-SCHOOL CURRICULUM, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

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By Senators Jones; and Berger of Franklin:

**S.B. 1229**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senators Jones; Atwater and Berger of Franklin:

**S.B. 1230**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION TO ASSIST THE NATIONAL GUARD IN ESTABLISHING A SECOND TARHEEL CHALLENGE ACADEMY IN BADIN, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senator Jones:

**S.B. 1231**, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW SALES TAX HOLIDAY FOR PERSONAL WATERCRAFT AND PERSONAL ALL-TERRAIN VEHICLES.

Referred to the **Finance Committee**.

By Senators Jones; and Berger of Franklin:

**S.J.R. 1232**, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO MAKE CERTAIN TEMPORARY FEDERAL TAX CREDIT CHANGES PERMANENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senators Jones; and Berger of Franklin:

**S.B. 1233**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE EMPLOYMENT SECURITY COMMISSION TO PROMOTE THE WORK OPPORTUNITY TAX CREDIT AND EDUCATE EMPLOYERS ABOUT IT, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

Referred to the **Commerce Committee**.

By Senators Jones; and Berger of Franklin:

**S.B. 1234**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN TAX INCIDENCE REPORTS BY THE DEPARTMENT OF REVENUE, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

Referred to the **Finance Committee**.

By Senators Jones; and Atwater:

**S.B. 1235**, A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING TO THE PRISON EDUCATION PROGRAM IN THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senator Jones:

**S.B. 1236**, A BILL TO BE ENTITLED AN ACT TO AMEND REQUIREMENTS FOR VOLUNTARY AND INVOLUNTARY ANNEXATION AS THEY RELATE TO LOW-INCOME COMMUNITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

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

By Senators Goss, Brunstetter, East, Hartsell, Purcell, Vaughan; and Atwater:

**S.B. 1237**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ETHICS COMMISSION TO FUND ADDITIONAL POSITIONS AND MAINTAIN ONLINE ETHICS EDUCATION, AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

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

By Senator Clary:

**S.B. 1238**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN RUTHERFORD COUNTY AT THE END OF THE CURRENT TERM.

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

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 3:30 P.M.

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**ONE HUNDRED AND EIGHTEENTH DAY**

Senate Chamber  
Thursday, May 20, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

May 20, 2010

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

"Dear Lord, as I listened to the debate yesterday over the budget, I was reminded that unanimity of belief is not expected in the Senate each day. Each Senator with her or his ideas has been called to fill a special place in your kingdom's business here. Thank you God for their diversity. When we join together in prayer at this time, though we may be singing different hymns, the hymns are all aimed in gratitude to you and at the great injustices of this world. Amen."

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, May 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 Sharon Nelson from Drexel, 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:

**S.B. 897** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, upon third reading.

Senator Allran announces a pair vote. If Senator Snow were present, he would vote "aye"; Senator Allran votes "no".

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 28, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Clodfelter, Davis, Dickson, Dorsett, Foriest, Garrou, Goss, Hartsell, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Soles, Stein, Stevens, Swindell, Vaughan and Walters---28.

Voting in the negative: Senators Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho and Tillman---16.

### RECONSIDERATION

**S.B. 897** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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Having voted with the majority, Senator Nesbitt offers a motion that the vote by which the Committee Substitute bill No. 2 passed its third reading be reconsidered, which motion prevails (44-1).

The question before the body is the passage of S.B. 897 on its third reading.

Senator Allran announces a pair vote. If Senator Snow were present, he would vote "aye"; Senator Allran votes "no".

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 30, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Clodfelter, Davis, Dickson, Dorsett, Foriest, Garrou, Goss, Graham, Hartsell, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Shaw, Soles, Stein, Stevens, Swindell, Vaughan and Walters---30.

Voting in the negative: Senators Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho and Tillman---16.

The Committee Substitute bill No. 2 is ordered sent to the House of Representatives.

Upon motion of Senator Basnight, seconded by Senator Swindell, the Senate adjourns subject to introduction of bills, to meet Monday, May 24, 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 Senators Goss, Brunstetter, East, Hartsell, Purcell and Vaughan:

**S.B. 1239**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO CHAPTERS 138A, 120C, AND 120 OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senators Graham; Atwater, Berger of Franklin, Blake, Boseman, Davis, Dorsett, East, Goodall, Jacumin, Jones, Purcell, Snow, Vaughan and Walters:

**S.B. 1240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR VARIOUS PURPOSES PURSUANT TO RECOMMENDATIONS FROM THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

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

By Senators Graham; Atwater, Berger of Franklin, Blake, Boseman, Davis, Dorsett, East, Goodall, Jacumin, Jones, Purcell, Snow, Vaughan and Walters:

**S.B. 1241**, A BILL TO BE ENTITLED AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM

May 20, 2010

STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

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

By Senators Graham; Atwater, Berger of Franklin, Blake, Boseman, Dorsett, East, Goodall, Jacumin, Jones, Purcell, Snow, Vaughan and Walters:

**S.B. 1242**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN COURT COSTS APPLY FOR AMENDMENTS AND COUNTERCLAIMS IN CHAPTER 50B OF THE GENERAL STATUTES ACTIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary I Committee**.

By Senators Graham; Atwater, Berger of Franklin, Blake, Boseman, Davis, Dorsett, East, Goodall, Jacumin, Jones, Purcell, Snow, Vaughan and Walters:

**S.B. 1243**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING WHETHER TO ISSUE A DOMESTIC VIOLENCE PROTECTIVE ORDER, OR PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary I Committee**.

By Senators Swindell, Brown and Foriest:

**S.B. 1244**, A BILL TO BE ENTITLED AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

By Senators Stevens; and Foriest:

**S.B. 1245**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE RULES RELATED TO TUITION AND FEES FOR CURRICULUM PROGRAMS BY THE STATE BOARD OF COMMUNITY COLLEGES.

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

By Senators Davis; Atwater, Bingham, Blue, Boseman, Dorsett, Foriest, Graham, Jenkins, Jones, McKissick, Queen, Snow, Swindell and Tillman:

**S.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR

ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, AND TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE.

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

By Senators Davis; Atwater, Bingham, Blue, Boseman, Dorsett, Foriest, Graham, Jenkins, Jones, McKissick, Queen, Snow, Stevens, Swindell and Tillman:

**S.B. 1247**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRITERIA USED BY THE COMMITTEE ON DROPOUT PREVENTION TO AWARD THE DROPOUT PREVENTION GRANTS, TO DIRECT THE COMMITTEE ON DROPOUT PREVENTION TO USE EVALUATIONS FROM PRIOR GRANT CYCLES TO IDENTIFY EVIDENCE-BASED PROGRAMMATIC ELEMENTS THAT ARE EFFECTIVE AND REPLICABLE, AND TO ALLOCATE FUNDS TO STUDY HIGH SCHOOLS THAT HAVE SIGNIFICANTLY REDUCED THEIR DROPOUT RATE TO IDENTIFY PROGRAMS THAT MERIT REPLICATION AND ASSESS THE PROGRESS OF PROGRAMS THAT ARE NO LONGER RECEIVING DROPOUT PREVENTION GRANTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

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

By Senators Davis; Atwater, Bingham, Blue, Boseman, Dorsett, Foriest, Graham, Jenkins, Jones, McKissick, Queen, Snow, Stevens, Swindell and Tillman:

**S.B. 1248**, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE AND TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION.

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

By Senators Davis; Atwater, Bingham, Blue, Boseman, Dorsett, Foriest, Graham, Jenkins, Jones, McKissick, Queen, Snow, Stevens, Swindell and Tillman:

**S.B. 1249**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A BLUE RIBBON TASK

May 20, 2010

FORCE TO STUDY THE IMPACTS OF RAISING THE COMPULSORY ATTENDANCE AGE FOR PUBLIC SCHOOL ATTENDANCE PRIOR TO COMPLETION OF A HIGH SCHOOL DIPLOMA 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.**

By Senators Davis; Atwater, Blue, Boseman, Dorsett, Foriest, Graham, Jenkins, Jones, McKissick, Queen, Snow and Tillman:

**S.B. 1250**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE 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 Blue; and Atwater:

**S.B. 1251**, A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR.

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

By Senator Hartsell:

**S.B. 1252**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE REED GOLD MINE FUND IN THE DIVISION OF STATE HISTORIC SITES.

Referred to the **Finance Committee.**

By Senators Stevens and Foriest:

**S.B. 1253**, A BILL TO BE ENTITLED AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION.

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

By Senator Goss:

**S.B. 1254**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF BOONE FOR THE PURCHASE OF A NEW FIRE TRUCK SO THAT THE TOWN CAN ADEQUATELY PROTECT APPALACHIAN STATE UNIVERSITY FROM FIRES.

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

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By Senators Goss, Brunstetter, East, Hartsell, Purcell, Vaughan; Atwater and Foriest:

**S.B. 1255**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT CONSTITUTES AN INDIRECT GIFT FOR PURPOSES OF CHAPTERS 120C AND 138A OF THE GENERAL STATUTES, AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Snow:

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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

By Senator Snow:

**S.J.R. 1257**, A JOINT RESOLUTION HONORING THE FOUNDERS OF TRANSYLVANIA COUNTY ON THE OCCASION OF THE COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY.

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

By Senators Snow; Allran, Bingham, Brown, Clary, Davis, Forrester, Goss, Hoyle, Jacumin, Preston and Walters:

**S.B. 1258**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE ADOPTED BY THE STATE BOARD OF COMMUNITY COLLEGES AND TO PROHIBIT FUTURE ADOPTION OF SIMILAR RULES.

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

By Senator Snow:

**S.B. 1259**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK.

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

By Senators Snow; Allran, Apodaca, Atwater, Berger of Franklin, Bingham, Blake, Blue, Brown, Clary, Davis, Dickson, East, Foriest, Forrester, Goss, Graham, Hoyle, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Swindell, Vaughan and Walters:

**S.B. 1260**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RURAL ECONOMIC DEVELOPMENT CENTER FOR CRITICAL WATER AND WASTEWATER GRANTS TO STIMULATE CONSTRUCTION JOBS IN RURAL AREAS.

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

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By Senators Snow; and Atwater:

**S.B. 1261**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA CHILD WELFARE EDUCATION COLLABORATIVE.

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

By Senator Snow:

**S.B. 1262**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MULTICAMPUS CENTER FUNDS FOR BLUE RIDGE COMMUNITY COLLEGE.

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

By Senator Snow:

**S.B. 1263**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK.

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

By Senator Snow:

**S.B. 1264**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

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

By Senators Purcell; Atwater, Bingham, Dorsett, Foriest, Garrou, Graham, Jones, Kinnaird, Queen and Snow:

**S.B. 1265**, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS, INCLUDING THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, TO PROVIDE COVERAGE FOR TREATMENT OF AUTISM SPECTRUM DISORDERS AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.

Referred to the **Health Care Committee**.

By Senators Purcell; Atwater, Bingham, Dorsett, Garrou, Graham, Jones, Kinnaird, Queen and Snow:

**S.B. 1266**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SCHOOL-BASED AND SCHOOL-LINKED ADOLESCENT HEALTH CARE CENTERS, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

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

By Senators Purcell; Atwater, Bingham, Dorsett, Foriest, Garrou, Graham, Jones, Queen and Snow:

**S.B. 1267**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR NATIONAL SOCIETY TO PREVENT BLINDNESS – NORTH CAROLINA AFFILIATE, INC.

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

By Senators Purcell; Atwater, Bingham, Dorsett, Foriest, Garrou, Graham, Jones, Kinnaird, Queen and Snow:

**S.B. 1268**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSIST DEAF CHILDREN WITH COCHLEAR IMPLANTS TO DEVELOP SPOKEN LANGUAGE.

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

By Senators Albertson; Bingham, Preston and Swindell:

**S.B. 1269**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson; Bingham, Preston and Swindell:

**S.B. 1270**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SEAFOOD MARKETING GRANT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson; Bingham, Preston and Swindell:

**S.B. 1271**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE FISHERY MANAGEMENT PLAN DEVELOPMENT PROCESS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson; Bingham, Preston and Swindell:

**S.B. 1272**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TAX CREDITS FOR THE RECYCLING OF OYSTER SHELLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

Referred to the **Finance Committee**.

By Senator Albertson:

**S.B. 1273**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR THE TRAPPING OF FOXES IN DUPLIN COUNTY.

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

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By Senators Albertson, Garrou, Swindell, and Dannelly:

**S.B. 1274**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

By Senators Albertson; Bingham and Swindell:

**S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson; Bingham and Swindell:

**S.B. 1276**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO ESTABLISH PERMITS FOR GEAR USED IN A FISHERY FOR WHICH OBSERVER COVERAGE IS REQUIRED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson; Bingham, Preston and Swindell:

**S.B. 1277**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

By Senators Albertson and Hoyle:

**S.B. 1278**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TASK FORCE TO DEVELOP A PLAN FOR THE ESTABLISHMENT AND MAINTENANCE OF A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Albertson and Hoyle:

**S.B. 1279**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DIVISION OF SOIL AND WATER CONSERVATION IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO

CONTINUE TO WORK WITH THE FARM BUREAU AND OTHER AGRICULTURAL LEADERS AND ORGANIZATIONS TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Albertson, Hoyle; and Atwater:

**S.B. 1280**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE'S WATER INFRASTRUCTURE FUND TO BE USED TO MATCH THE FEDERAL FUNDS AVAILABLE FOR WATER SUPPLY AND WASTEWATER NEEDS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Albertson, Hoyle; and Atwater:

**S.B. 1281**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CLEAN WATER MANAGEMENT TRUST FUND TO BE AWARDED AS GRANTS FOR CERTAIN WATER AND WASTEWATER INFRASTRUCTURE CRITICAL NEEDS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Albertson, Hoyle; and Atwater:

**S.B. 1282**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RURAL ECONOMIC DEVELOPMENT CENTER FOR CRITICAL WATER AND WASTEWATER GRANTS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Albertson and Hoyle:

**S.B. 1283**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF THE STATE TREASURER TO EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SUPPLY AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

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By Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jacumin, Jones and Snow:

**S.B. 1284**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN EMPLOYEE POSITION IN THE DEPARTMENT OF AGRICULTURE DEDICATED TO ADMINISTRATION AND OPERATION OF THE FARM TO SCHOOL PROGRAM AND TO REQUIRE THE DEPARTMENT TO REPORT ANNUALLY ON THE PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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

By Senators Purcell, Dannelly, Preston, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jones, Kinnaird and Snow:

**S.B. 1285**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION TO ELIMINATE THE COST OF REDUCED PRICE LUNCHES FOR SCHOOL CHILDREN WHO QUALIFY FOR REDUCED PRICE MEALS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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

By Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jacumin, Jones, Kinnaird and Snow:

**S.B. 1286**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE WAYS TO IMPLEMENT BODY MASS INDEX SCREENING FOR CERTAIN CHILDREN WHO ARE AT RISK OF BECOMING OBESE AND TO REDUCE BODY MASS INDEX LEVELS FOR ALL CHILDREN, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

By Senators Purcell, Dannelly, Preston, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jacumin, Jones, Kinnaird and Snow:

**S.B. 1287**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

By Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; Atwater, Bingham, Dorsett, Graham, Jones, Kinnaird and Snow:

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**S.B. 1288**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE A REQUEST FOR PROPOSALS TO FACILITATE ACCEPTANCE OF PAYMENTS BY ELECTRONIC FUNDS TRANSFER AT LOCAL FARMERS MARKETS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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

By Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jones, Kinnaird and Snow:

**S.B. 1289**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO UPDATE STATEWIDE NUTRITION STANDARDS FOR FOOD AND BEVERAGES AVAILABLE IN PUBLIC ELEMENTARY, MIDDLE AND HIGH SCHOOLS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Health Care Committee**.

By Senator Hoyle:

**S.J.R. 1290**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION.

Referred to the **Commerce Committee**.

By Senators Hoyle, Albertson; and Atwater:

**S.B. 1291**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHERS, TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS AND TO DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE ENVIRONMENTAL PROTECTION AGENCY SURVEYS INTO THE STATE WATER SUPPLY PLAN, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Hoyle and Albertson:

**S.B. 1292**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

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By Senators Hoyle, Albertson; and Atwater:

**S.B. 1293**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUALITY AND WATER QUANTITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT PRACTICABLE FOR THE PROJECT TO PURSUE REGIONALIZATION BASED ON TOPOGRAPHY OR OTHER FACTORS SHALL BE GIVEN THE SAME PRIORITY FOR REGIONALIZATION AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Hoyle, Albertson; and Atwater:

**S.B. 1294**, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DESIGN A COST SHARE PROGRAM TO ASSIST FARMERS AND LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

By Senators Rucho; Clodfelter, Goodall and Graham:

**S.B. 1295**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN PUBLIC-PRIVATE PROJECTS OUTSIDE THE DOWNTOWN AREA.

Referred to the **Finance Committee**.

By Senators Dannelly, Davis, Preston, and Walters:

**S.B. 1296**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES K THROUGH 8, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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



By Senators Jones; and Atwater:

**S.B. 1297**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO WORK WITH LOCAL GOVERNMENTS AND REGIONAL COUNCILS OF GOVERNMENT TO CONVENE AND ORGANIZE REGIONAL ECONOMIC RECOVERY HOUSING ALLIANCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

Referred to the **Commerce Committee**.

By Senators Walters; Bingham, Blue, Foriest, Goss, Snow and Vaughan:

**S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX.

Referred to the **Finance Committee**.

By Senators Goss, Brunstetter, East, Hartsell, Purcell and Vaughan:

**S.B. 1299**, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN REPORTING REQUIREMENTS BY LOBBYIST PRINCIPALS AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.

Referred to the **Judiciary I Committee**.

By Senator Soles:

**S.J.R. 1300**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR W. WILLIAMSON, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

By Senator Soles:

**S.J.R. 1301**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF W. HORACE CARTER, PULITZER PRIZE WINNING PUBLISHER.

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

By Senator Soles:

**S.J.R. 1302**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARGARET TAYLOR HARPER, FORMER CANDIDATE FOR LIEUTENANT GOVERNOR.

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

By Senators Shaw and Dickson:

**S.B. 1303**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR RESTORATION AND REPAIRS TO THE G.L. BUTLER BUILDING ON THE CAMPUS OF FAYETTEVILLE STATE UNIVERSITY.

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

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By Senators Nesbitt; and Atwater:

**S.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND REPORT ON A PLAN FOR MODIFYING THE CERTIFICATION PROCESS FOR CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Health Care Committee**.

By Senator Nesbitt:

**S.B. 1305**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY AGENCY REVERSAL OF ADMINISTRATIVE LAW JUDGE DECISIONS IN CHAPTER 150B CONTESTED CASES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

By Senators Nesbitt; and Atwater:

**S.B. 1306**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO IMPLEMENT A PILOT PROJECT TO EVALUATE THE COST AND PROGRAM EFFICACY OF INDEPENDENT ASSESSMENTS FOR INTEGRATED PROGRAM AND REPORTING SYSTEM ENHANCED SERVICES AND MEDICAID ENHANCED SERVICES.

Referred to the **Health Care Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1307**, A BILL TO BE ENTITLED AN ACT TO MODIFY REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Health Care Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1308**, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL MANAGEMENT ENTITIES PARTICIPATING IN THE SUPPORTS INTENSITY SCALE ASSESSMENT PILOT PROJECT TO USE THE

ASSESSMENT FOR EVALUATION AND DETERMINATION OF SERVICES FOR CLIENTS WITH DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Health Care Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1309**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO WAIVE TEMPORARILY CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES FOR PARTICIPANTS IN THE FIRST EVALUATION PILOT PROGRAM AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY CERTAIN ISSUES RELATING TO THE PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Health Care Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1310**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR THE EXPANSION OF LOCAL INPATIENT PSYCHIATRIC BEDS OR BED DAYS.

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

By Senators Nesbitt; and Atwater:

**S.B. 1311**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO RESTORE STATE-FUNDED SERVICES PROVIDED THROUGH LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

By Senators Dorsett; Atwater, Bingham, Purcell and Vaughan:

**S.B. 1312**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ACCESSIBLE ELECTRONIC INFORMATION SERVICES FOR BLIND AND DISABLED PERSONS.

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

By Senators Dorsett, Vaughan; Atwater and Bingham:

**S.B. 1313**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE FACULTY FOR THE JOINT SCHOOL

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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 Dorsett, Vaughan; and Bingham:

**S.B. 1314**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HIGH POINT MARKET.

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

By Senators Vaughan, Dorsett; Atwater and Bingham:

**S.B. 1315**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SUPPORT THE JOINT INNOVATION AND COMMERCIALIZATION INITIATIVE THAT WILL BE JOINTLY OPERATED BY NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO ON THE CAMPUS OF THE GATEWAY UNIVERSITY RESEARCH PARK.

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

By Senators Vaughan, Dorsett; Atwater and Bingham:

**S.B. 1316**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO IMPROVE THE NATIONAL RANKING OF THE COLLEGE OF ENGINEERING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY.

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

By Senators Vaughan, Kinnaird; Berger of Rockingham, Bingham and Dorsett:

**S.B. 1317**, A BILL TO BE ENTITLED AN ACT TO: (1) MODIFY THE COMPUTER EQUIPMENT RECYCLING PLAN REQUIREMENTS AND ASSOCIATED FEE IMPOSED ON MANUFACTURERS; AND (2) MAKE FURTHER SUBSTANTIVE, CLARIFYING, TECHNICAL, AND CONFORMING AMENDMENTS TO THE LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1318**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DEVELOPMENT OF A MENTAL HEALTH LEADERSHIP

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ACADEMY TO PROVIDE PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

By Senators Nesbitt; and Atwater:

**S.B. 1319**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, IN CONSULTATION WITH THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO EXAMINE AND ADJUST THE RATES FOR SERVICES PROVIDED THROUGH THE INTERNATIONAL CENTER FOR CLUBHOUSE DEVELOPMENT CLUBHOUSE MODEL OF PSYCHOSOCIAL REHABILITATION.

Referred to the **Health Care Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1320**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT APPEALS PROCESS FOR MEDICAID APPLICANTS OR RECIPIENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Referred to the **Judiciary I Committee**.

By Senators Nesbitt; and Atwater:

**S.B. 1321**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA INSTITUTE OF MEDICINE TO COMPLETE ITS CURRENT STUDIES AND TO ESTABLISH A TASK FORCE TO STUDY THE NEEDS OF YOUNG CHILDREN WITH MENTAL HEALTH PROBLEMS AND THEIR FAMILIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

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

By Senators Stevens, Dorsett, Foriest, Vaughan; and Atwater:

**S.B. 1322**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO REALIGN ITS FORMULA FUNDING BY INCREASING THE ALLOCATION FOR FINANCIAL AID SERVICES TO STUDENTS AND DECREASING THE ALLOCATION FOR CURRICULUM AND CONTINUING EDUCATION INSTRUCTION AND TO REQUIRE THAT ALL COMMUNITY COLLEGES PARTICIPATE IN

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THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM BY JULY 1, 2011, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE FUNDED STUDENT FINANCIAL AID.

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

By Senators Stevens, Dorsett, Foriest, Goodall, Vaughan; Allran, Atwater and Bingham:

**S.B. 1323**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID.

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

By Senators Stevens, Dorsett, Foriest, Goodall, Vaughan; Allran, Atwater and Bingham:

**S.B. 1324**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A WORK GROUP TO DEVELOP RECOMMENDATIONS AND OPTIONS FOR SIMPLIFYING AND CONSOLIDATING THE DELIVERY OF, ADMINISTRATION OF, AND ACCESS TO STATE-FUNDED FINANCIAL AID FOR STUDENTS, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT AID.

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

By Senators Dickson; and Shaw:

**S.B. 1325**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

Referred to the **Finance Committee**.

By Senators Dickson; Atwater and Shaw:

**S.B. 1326**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS.

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

By Senators Dickson; Atwater, Davis and Shaw:

**S.B. 1327**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MILITARY BUSINESS CENTER.

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

By Senators Dickson; Atwater and Shaw:

**S.B. 1328**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE NORTH CAROLINA SCIENCE OLYMPIAD TO ALL ONE HUNDRED COUNTIES.

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

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By Senators Dickson; and Shaw:

**S.B. 1329**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR MONITORING AND EMERGENCY CLEANUP OF THE TEXFI SITE CONTAMINATION.

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

By Senators Dickson; Atwater and Shaw:

**S.B. 1330**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEFENSE AND SECURITY TECHNOLOGY ACCELERATOR PROGRAM.

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

By Senators Dickson; and Shaw:

**S.B. 1331**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS.

Referred to the **Finance Committee**.

By Senators McKissick; Berger of Franklin, Bingham, Blue, Dickson, Dorsett, Foriest, Graham, Hartsell, Jones, Kinnaird, Shaw, Vaughan and Walters:

**S.B. 1332**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE STATE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR SPAYING AND NEUTERING OF DOGS AND CATS IN ORDER TO HELP REDUCE THE POPULATION OF UNWANTED ANIMALS IN THE STATE.

Referred to the **Finance Committee**.

By Senators McKissick; Atwater, Berger of Franklin, Bingham, Blue, Dickson, Dorsett, Foriest, Graham, Hartsell, Jones, Kinnaird, Shaw, Snow, Vaughan and Walters:

**S.B. 1333**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA SUSTAINABLE COMMUNITIES TASK FORCE, AN INTERAGENCY COLLABORATION BETWEEN THE DEPARTMENTS OF ADMINISTRATION, COMMERCE, ENVIRONMENT AND NATURAL RESOURCES, TRANSPORTATION, HEALTH AND HUMAN SERVICES, AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FOCUSED ON DEVELOPING AND SUSTAINING HEALTHY, SAFE, AND WALKABLE COMMUNITIES ACCESSIBLE TO ALL NORTH CAROLINIANS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON URBAN GROWTH AND INFRASTRUCTURE ISSUES.

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

By Senators Vaughan; Atwater, Blue, Dickson, Dorsett, Garrou, Hartsell and McKissick:

**S.B. 1334**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE

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PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL.

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

By Senators Graham; Clodfelter, Goodall and Rucho:

**S.B. 1335**, A BILL TO BE ENTITLED AN ACT EXEMPTING MECKLENBURG FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

Referred to the **Finance Committee**.

By Senators Graham; Clodfelter, Goodall and Rucho:

**S.B. 1336**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM.

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

By Senators Davis, Atwater and Kinnaird:

**S.B. 1337**, A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS (USTS) IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senator Purcell:

**S.B. 1338**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Commerce Committee**.

By Senators Purcell, Dannelly, Preston, Walters; and Atwater:

**S.B. 1339**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO USE A SPECIFIED AMOUNT OF CHILD NUTRITION PROGRAM FUNDS AS REQUIRED STATE MATCHING FUNDS FOR MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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

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Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 11:54 A.M.

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## ONE HUNDRED AND NINETEENTH DAY

Senate Chamber  
Monday, May 24, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

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

"In the midst of our hurried lives, we ask, O Lord, for the strong reminder of how you bless us so that we may never forget to take time to be kind to others. Help us to be unselfish in our friendship, thoughtful of those less fortunate than ourselves and always eager to bear the burdens of others. All through this week, by your spirit, let us touch the lives of others for good, whether through the words we speak to them, the prayers we pray for them or the lives we live before them. We ask this in your holy name. Amen."

The Chair grants a leave of absence for tonight to Senator Apodaca.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Thursday, 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 Linda D. O'Boyle from Wilson, North Carolina and Kelly Wilkins from Shannon, North Carolina, who are serving the Senate as Nurses of the Day.*

### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

**H.J.R. 1675, A JOINT RESOLUTION HONORING FOUR-TIME NASCAR SPRINT CUP CHAMPION JIMMIE JOHNSON.**

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

The joint resolution passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

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**SENATE PAGES**

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

Josh Altman, Laurinburg; Nicholas Ammons, Laurinburg; Hannah Anderson, Tar Heel; Khidijah Bell, Ahoskie; Stephen Bender, Aberdeen; Ryan Byrd, Williamston; Kaylen Cutler, Whiteville; Stafford Dunbar IV, Laurinburg; Moriah Glady, Raleigh; Titi Goings, Rocky Mount; Christopher Jefferys, Princeton; Ashley Kim, Cary; Chris Krolak, Fletcher; Kendall Medford, Gastonia; Samuel Potter, Charlotte; Shelby Rife, Gastonia; Angel Sandusky, Aulander; Allen Smith, Gastonia; Paradise Stevenson, Greensboro; Haley Stewart, Gastonia; Brittany Whitaker, Durham; Amesha White, Ahoskie; Darius Williams, Williamston and Jinee Yoon, Chapel Hill.

Upon motion of Senator Dannelly, seconded by Senator Hoyle, the Senate adjourns subject to introduction of bills, to meet Tuesday, May 25, 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 Senator Soles:

**S.B. 1340**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DIVIDE PROSECUTORIAL DISTRICT 13 INTO DISTRICTS 13A AND 13B.

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

By Senator Soles:

**S.B. 1341**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM TO AUTHORIZE RETIREMENT AFTER ATTAINING THE AGE OF SIXTY-TWO WITH TWENTY YEARS OF SERVICE.

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

By Senator Hoyle:

**S.B. 1342**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.

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

By Senators Garrou, Swindell, Dannelly, and Albertson:

**S.B. 1343**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

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By Senators Garrou, Albertson, Dannelly, and Swindell:

**S.B. 1344**, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

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

By Senators Vaughan, Dorsett; Berger of Rockingham and Bingham:

**S.B. 1345**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF GREENSBORO FROM THE REQUIREMENT THAT CERTAIN WILD ANIMALS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND AUTHORIZE THE RELOCATION OF THOSE ANIMALS TO A SUITABLE ALTERNATIVE HABITAT.

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

By Senator Queen:

**S.B. 1346**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE YANCEY COUNTY TO ENROLL ITS EMPLOYEES OR RETIREES IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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

By Senators Clodfelter; Goodall, Graham and Rucho:

**S.B. 1347**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY.

Referred to the **Finance Committee**.

By Senators East; Blake, Brown, Jacumin and Tillman:

**S.B. 1348**, A BILL TO BE ENTITLED AN ACT TO GIVE COUNTIES TEMPORARY FLEXIBILITY TO USE SCHOOL CONSTRUCTION FUNDS GENERATED FROM THE EDUCATION LOTTERY FOR ANY EDUCATIONAL PURPOSE.

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

By Senators East; Allran, Berger of Rockingham, Bingham, Blake, Brock, Brown, Clary, Forrester, Hunt, Jacumin, Rucho and Tillman:

**S.J.R. 1349**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF WILLFUL FAILURE TO CARRY OR COMPLETE AN ALIEN REGISTRATION DOCUMENT.

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

By Senators Jenkins and Davis:

**S.B. 1350**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF

May 24, 2010

NORTH CAROLINA TO BE USED TO ASSIST WITH OPERATING AND CAPITAL EXPENSES FOR THE SCHOOL OF DENTISTRY AT EAST CAROLINA AND ITS UPCOMING ACCREDITATION PROCESS.

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

By Senators McKissick, Queen; Berger of Franklin, Bingham, Dickson, Hartsell, Jones, Snow, Vaughan and Walters:

**S.B. 1351**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE'S SEVEN REGIONAL ECONOMIC DEVELOPMENT PARTNERSHIPS TO FACILITATE ECONOMIC DEVELOPMENT.

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

By Senator Soles:

**S.J.R. 1352**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION.

Referred to the **Commerce Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 7:20 P.M.

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## ONE HUNDRED AND TWENTIETH DAY

Senate Chamber  
Tuesday, May 25, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

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

"Forgive us, O God, for loving the predictable, the secure, the stable. Without your life-giving, energizing spirit we are powerless in the face of prejudice, the walls that divide us, words that hurt, diseases that won't be cured and problems like the current Gulf of Mexico oil disaster that seem unsolvable. So please let us feel your presence. Shake our predictable foundations that we may be creative, speak our minds and vision afresh with successful outcomes. Gratefully we pray, Amen."

The Chair grants leaves of absence for today to Senator Apodaca, Senator Blue, Senator Boseman, Senator Dorsett, and Senator Soles.

May 25, 2010

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Monday, May 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 Barb Smith from Cary, 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. 1675**, A JOINT RESOLUTION HONORING FOUR-TIME NASCAR SPRINT CUP CHAMPION JIMMIE JOHNSON. (Res. 2)

#### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
May 20, 2010

Mr. 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. 589** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS.

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

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

**S.B. 59** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AN ORDER FOR THE PAYMENT OF ATTORNEYS' FEES IN ACTIONS FOR ALIMONY OR POSTSEPARATION SUPPORT, for concurrence in the House Committee Substitute.

Referred to the **Judiciary I Committee**.

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**INTRODUCTION OF A RESOLUTION**

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

By Senators Foriest, Stevens; Atwater, Garrou, Hoyle, Jones, Nesbitt, Stein, Swindell, Vaughan and Walters:

**S.B. 1378**, A BILL TO BE ENTITLED AN ACT TO CREATE JOBS AND MAKE NORTH CAROLINA MORE COMPETITIVE GLOBALLY BY FINANCING THE BUILDING OF ENGINEERING EDUCATION FACILITIES, THE ENHANCEMENT AND REPAIR OF STATE ASSETS AND COMMUNITY COLLEGE ASSETS, AND INVESTMENT IN RESEARCH AND JOB TRAINING EQUIPMENT AT UNIVERSITIES AND COMMUNITY COLLEGES.

Referred to the **Finance Committee**.

**RECONSIDERATION**

**H.B. 589** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS; AND TO REQUIRE THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE COVERAGE FOR AUTISM TREATMENT DISORDERS.

Having voted with the majority, Senator Purcell offers a motion that the vote by which the conference report was adopted on August 7, 2009, be reconsidered, which motion prevails (41-0).

The question before the Body is the adoption of the conference report for H.B. 589.

Upon motion of Senator Purcell, the conference report is returned to conference committee.

**CONFERENCE REPORT**

Senator Purcell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 589** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS; AND TO REQUIRE THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE COVERAGE FOR AUTISM TREATMENT DISORDERS, submits for adoption the following report:

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

May 25, 2010

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 589, A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS; AND TO REQUIRE THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO PROVIDE COVERAGE FOR AUTISM TREATMENT DISORDERS, Senate Appropriations/Base Budget Committee Substitute Adopted 8/5/09, submit the following report:

The House and Senate agree to the following amendments to the Senate Appropriations/Base Budget Committee Substitute, Senate Appropriations/Base Budget Committee Substitute Adopted 8/5/09, and the House concurs in the Senate Appropriations/Base Budget Committee Substitute as amended:

On page 1, lines 3-5, by rewriting the lines to read:

"TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS.";

And on page 2, line 9, through page 3, line 19, by rewriting the lines to read:

**"SECTION 3.** This act is effective January 1, 2011 and applies to health benefit plans that are delivered, issued for delivery, or renewed on and after that date."

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

Date Conferees approved report: May 19, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/William R. Purcell, Chair	S/Bob England, M.D., Chair
S/Linda Garrou	S/Henry M. Michaux, Jr.
Tony Rand	S/Hugh Holliman
	S/Jeff Barnhart
	S/Timothy L. Spear
	S/Edith D. Warren

The Conference Report, which changes the title, is placed on the Calendar for Wednesday, May 26, for adoption.

Upon motion of Senator Dannelly, seconded by Senator Nesbitt, the Senate adjourns subject to introduction of bills and reading of messages from the House of Representatives, to meet Wednesday, May 26, at 2:00 P.M.

### **INTRODUCTION OF BILLS AND RESOLUTIONS**

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

May 25, 2010

By Senator Atwater:

**S.B. 1353**, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF CULTURAL RESOURCES TO STUDY THE FEASIBILITY OF DESIGNATING THE ENDOR IRON FURNACE AS A STATE HISTORIC SITE AND APPROPRIATING FUNDS TO COMPLETE THE STUDY.

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

By Senator Shaw:

**S.B. 1354**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND.

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

By Senator Goss (By Request):

**S.B. 1355**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WILKES COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX.

Referred to the **Finance Committee**.

By Senator Goss:

**S.B. 1356**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND.

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

By Senator Hartsell:

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CABARRUS COUNTY TOURISM AUTHORITY.

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

By Senator Snow:

**S.B. 1358**, A BILL TO BE ENTITLED AN ACT TO GIVE FLEXIBILITY TO MAKE UP INSTRUCTIONAL DAYS MISSED DUE TO INCLEMENT WEATHER DURING THE 2009-2010 SCHOOL YEAR TO LOCAL SCHOOL ADMINISTRATIVE UNITS LOCATED IN CHEROKEE, CLAY, GRAHAM, HAYWOOD, JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES.

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

By Senator Snow:

**S.B. 1359**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

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

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By Senator Allran:

**S.B. 1360**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BURKE.

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

By Senators Dorsett, Vaughan; Berger of Rockingham and Bingham:

**S.B. 1361**, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO.

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

By Senators Kinnaird and Foriest:

**S.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY.

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

By Senator Foriest:

**S.B. 1363**, A BILL TO BE ENTITLED AN ACT REGARDING PROFESSIONAL LEAVE POLICIES FOR PUBLIC SCHOOL EMPLOYEES.

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

By Senator Foriest:

**S.B. 1364**, 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 Berger of Rockingham; Apodaca, Brock, Jacumin and Preston:

**S.J.R. 1365**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY IMPOSED UPON INSURANCE FIDUCIARIES FOR CANCELLATION, NONRENEWAL, OR TERMINATION OF GROUP HEALTH OR GROUP LIFE INSURANCE AND FOR FAILURE TO PROVIDE NOTIFICATION OF THE INTENT TO CEASE PREMIUM PAYMENTS OR FUNDING FOR A GROUP HEALTH PLAN.

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

By Senators Berger of Rockingham; Allran, Apodaca, Bingham, Brock, Brown, Brunstetter, East, Forrester, Jacumin, Preston, Rouzer, Rucho and Tillman:

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**S.B. 1366**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PAYMENT OF ADDITIONAL AMOUNTS FOR CERTAIN DELAYS OF INCOME TAX REFUNDS.

Referred to the **Finance Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 2:39 P.M.

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### ONE HUNDRED AND TWENTY-FIRST DAY

Senate Chamber  
Wednesday, May 26, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, yesterday afternoon at a gathering celebrating the life of the late Virgil McBride, a well-respected, long-time lobbyist, I had the privilege of hearing Senator Vaughan offer his personal words of tribute. Without a note, Senator Vaughan engaged those of us in the Museum of History auditorium. He spoke eloquently and articulately in his personal recollections about Mr. McBride. I know that you already know this, O God, but I thought the Senate family would be pleased to know that Senator Vaughan represented this Body so well, offering another example of the best that this Senate family has to offer. Amen."

### PLEDGE OF ALLEGIANCE

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

The Chair grants leaves of absence for today to Senator Apodaca, Senator Blue, and Senator Dorsett.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, May 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 Wendy Hicks from Clemmons, North Carolina and Monique Batchelor from Bailey, North Carolina, who are serving the Senate as Nurses of the Day.*

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### PRIVILEGES OF THE FLOOR

Upon motion of Senator Basnight, privileges of the floor are granted to Bob Griese, former NFL quarterback for the Miami Dolphins and television commentator for college football on ESPN. Mr. Griese is recognized and addresses the Members from the Well of the Senate.

### INTRODUCTION OF A RESOLUTION

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 Senator Dannelly:

**S.J.R. 1390**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.

Upon motion of Senator Dannelly, 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 Jones for the **State & Local Government Committee**:

**S.B. 1120**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT, with a favorable report.

**S.B. 1238**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN RUTHERFORD COUNTY AT THE END OF THE CURRENT TERM, with a favorable report.

**S.B. 1114**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF CHAPEL HILL FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF MUNICIPAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENTER INTO A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75388, which changes the title to read **S.B. 1114** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND

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CARRBORO AND THE COUNTY OF MECKLENBURG FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND MECKLENBURG COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, is adopted and engrossed.

**S.B. 1146**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN 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 75383, is adopted and engrossed.

By Senator Bingham for the **Health Care Committee**:

**S.B. 1151**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with a favorable report.

**S.B. 1152**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with a favorable report.

**S.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND REPORT ON A PLAN FOR MODIFYING THE CERTIFICATION PROCESS FOR CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, with a favorable report.

**S.B. 1319**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, IN CONSULTATION WITH THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND

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SUBSTANCE ABUSE SERVICES, TO EXAMINE AND ADJUST THE RATES FOR SERVICES PROVIDED THROUGH THE INTERNATIONAL CENTER FOR CLUBHOUSE DEVELOPMENT CLUBHOUSE MODEL OF PSYCHOSOCIAL REHABILITATION, with a favorable report.

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

**S.B. 1135**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK, with a favorable report.

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

**H.B. 1429**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CLARIFICATIONS REGARDING THE IMPROVEMENTS TO DROUGHT PREPAREDNESS AND RESPONSE IN NORTH CAROLINA MADE BY THE 2008 SESSION OF THE GENERAL ASSEMBLY, 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 50917, which changes the title upon concurrence to read **H.B. 1429** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE FOR COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS, is adopted and engrossed.

**H.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING JUNE AS CANCER SCREENING AWARENESS MONTH, 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 30454, which changes the title upon concurrence to read **H.B. 1251** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DESIGNATING THE COLONIAL SPANISH MUSTANG AS THE OFFICIAL HORSE OF THE STATE OF NORTH CAROLINA, is adopted and engrossed.

#### **WITHDRAWAL FROM COMMITTEE**

**H.B. 766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISION FOR THE SURVIVOR'S ALTERNATE BENEFIT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A BENEFIT FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY AFTER THE COMPLETION OF FIFTEEN YEARS OF SERVICE, referred to the **Rules and Operations of the Senate Committee** on May 4, 2009.

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

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

*The Chair grants a leave of absence for the remainder of today's session to Senator Shaw.*

### CALENDAR

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

**H.B. 589** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS, for adoption.

Upon motion of Senator Purcell, the Senate adopts the Conference Report (46-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.J.R. 1390**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY, placed earlier on today's Calendar.

The joint resolution passes its second reading (46-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Basnight, seconded by Senator Hoyle, the Senate adjourns subject to introduction of bills, receipt of committee reports and messages from the House of Representatives, to meet Thursday, May 27, 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 Dannelly:

**S.B. 1367**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY.

Referred to the **Finance Committee**.

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By Senators Dannelly, Garrou, Swindell, and Albertson:

**S.B. 1368**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

By Senator Dannelly:

**S.B. 1369**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY INSTITUTIONS TO ASSIST SMALL FARMERS AND RURAL LANDOWNERS, SUPPORT ECONOMIC DEVELOPMENT ACTIVITIES IN MINORITY NEIGHBORHOODS AND COMMUNITIES, ASSIST MINORITY AND WOMEN-OWNED BUSINESSES, AND PROVIDE ACCESS TO AFFORDABLE FINANCE SERVICES AND ASSET BUILDING OPPORTUNITIES STATEWIDE.

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

By Senator Goss:

**S.B. 1370**, A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

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

By Senators Hoyle; Atwater, Clary and Jenkins:

**S.B. 1371**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET FOR THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES.

Referred to the **Finance Committee**.

By Senators Hoyle; Atwater, Clary and Jenkins:

**S.B. 1372**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF THE CREDIT FOR BIODIESEL PRODUCERS.

Referred to the **Finance Committee**.

By Senators Hoyle; Atwater, Clary and Jenkins:

**S.B. 1373**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET OF THE TAX CREDITS FOR GROWING BUSINESSES.

Referred to the **Finance Committee**.

By Senators Hoyle, Clary; Atwater and Preston:

**S.B. 1374**, A BILL TO BE ENTITLED AN ACT TO EXEMPT WOOD CHIPPING MACHINERY FROM SALES TAX.

Referred to the **Finance Committee**.

By Senators Nesbitt; Atwater, Dannelly, Garrou, Purcell and Swindell:

**S.B. 1375**, 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**.

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By Senator Nesbitt:

**S.B. 1376**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONDUCT A SITE STUDY AND IMPACT ANALYSIS TO DETERMINE A LOCATION FOR THE WESTERN REGIONAL HISTORY MUSEUM.

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

By Senator Preston:

**S.B. 1377**, A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING.

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

By Senator Clodfelter:

**S.J.R. 1379**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT CONSTITUTES A RULE AND TO REQUIRE COMPLIANCE BY THE STATE ETHICS COMMISSION WITH PROCEDURAL REQUIREMENTS FOR RULES THAT ARE IN EFFECT OR THAT ARE HEREAFTER ADOPTED.

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

By Senator Clodfelter:

**S.B. 1380**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT CONSTITUTES A RULE AND TO REQUIRE COMPLIANCE BY THE STATE ETHICS COMMISSION WITH PROCEDURAL REQUIREMENTS FOR RULES THAT ARE IN EFFECT OR THAT ARE HEREAFTER ADOPTED.

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

By Senator Clodfelter:

**S.B. 1381**, A BILL TO BE ENTITLED AN ACT TO PERMIT ADVERTISEMENT OF TAX LIENS ON REAL PROPERTY FOR FAILURE TO PAY TAXES BY INTERNET PUBLICATION.

Referred to the **Finance Committee**.

By Senator Clodfelter:

**S.B. 1382**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE TYPES OF EXPENSES THAT MAY BE PAID BY THE JUDICIAL DEPARTMENT TO INCLUDE EXPENSES FOR ADMINISTRATIVE SUPPORT, TO AUTHORIZE SUPPLEMENTATION BY LOCAL GOVERNMENTS OF THE SALARIES OF NONELECTED JUDICIAL DEPARTMENT OFFICERS AND EMPLOYEES IN ORDER TO ATTRACT AND RETAIN THE BEST QUALIFIED OFFICERS AND EMPLOYEES FOR THE JUDICIAL BRANCH OF GOVERNMENT, TO PROVIDE EQUAL ACCESS TO COURT SERVICES AND FULLY FUND INTERPRETER



NEEDS IN THE COURTS, AND TO EXPAND THE ALLOWANCE FOR JUVENILE COURT RECORDS TO BE CONSIDERED IN MAKING THE RISK DETERMINATION IN ESTABLISHING BOND.

Referred to the **Judiciary I Committee**.

By Senators Clodfelter and Stein:

**S.B. 1383**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLECTION AND ANALYSIS OF DNA SAMPLES FROM INDIVIDUALS ARRESTED FOR FELONY OFFENSES, TO PROVIDE FOR THE EXPUNGEMENT OF DNA RECORDS, TO STRENGTHEN PROVISIONS RELATING TO THE CONFIDENTIALITY OF SUCH DNA RECORDS, AND TO INCREASE THE COST OF COURT TO COVER THE EXPENSES OF DNA COLLECTION AND ANALYSIS.

Referred to the **Judiciary I Committee**.

By Senators Dickson; Boseman, Graham and Kinnaird:

**S.B. 1384**, A BILL TO BE ENTITLED AN ACT TO (1) REMOVE THE CAP ON THE TOTAL RECOVERY BY THE STATE FOR DAMAGE TO THE PUBLIC RESOURCES AND FOR THE COST OF ANY OIL OR OTHER HAZARDOUS SUBSTANCES CLEANUP ARISING FROM A DISCHARGE AND (2) DIRECT THE COASTAL RESOURCES COMMISSION TO CONDUCT A REVIEW AND EXAMINATION CONCERNING THE OIL SPILL ASSOCIATED WITH THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG AND THE ENVIRONMENTAL AND ECONOMIC EFFECTS OF THAT SPILL ON THE GULF COAST REGION AS WELL AS THE ENVIRONMENTAL AND ECONOMIC EFFECTS ON NORTH CAROLINA WERE SUCH AN OIL SPILL TO AFFECT THE COASTLINE OF NORTH CAROLINA EITHER BY TAKING PLACE OFF THE NORTH CAROLINA COAST OR BY TAKING PLACE ELSEWHERE YET REACHING THE WATERS AND COASTLINE OF NORTH CAROLINA.

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

By Senators McKissick; Stevens and Vaughan:

**S.B. 1385**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON WATER QUALITY COST SHARE.

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

By Senators East; Allran, Berger of Rockingham, Bingham, Blake, Brock, Brown, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho and Tillman:

**S.B. 1386**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES MOVING BETWEEN STATE, CITY, AND COUNTY GOVERNMENT TO PORT THEIR SICK AND ANNUAL LEAVE.

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

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By Senator Nesbitt:

**S.B. 1387**, A BILL TO BE ENTITLED AN ACT TO ATTRACT TO THE STATE OF NORTH CAROLINA NEW ECONOMIC OPPORTUNITIES.

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

By Senator Foriest:

**S.B. 1388**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES.

Referred to the **Finance Committee**.

By Senator Foriest:

**S.B. 1389**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM.

Referred to the **Finance Committee**.

By Senator Foriest:

**S.J.R. 1391**, A JOINT RESOLUTION HONORING THE TWO HUNDRED THIRTY-THIRD ANNIVERSARY OF CASWELL COUNTY.

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

By Senator McKissick:

**S.B. 1392**, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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

By Senator McKissick:

**S.B. 1393**, A BILL TO BE ENTITLED AN ACT TO CREATE ENHANCED PROTECTIONS FOR VICTIMS AND WITNESSES BY ADDING AN EXCEPTION TO THE HEARSAY RULE THAT ALLOWS THE STATEMENT OF AN UNAVAILABLE WITNESS TO BE INTRODUCED INTO EVIDENCE IN CERTAIN CIRCUMSTANCES AND BY INCREASING THE CRIMINAL PENALTY FOR THE OFFENSE OF INTIMIDATING OR INTERFERING WITH A WITNESS AND TO APPROPRIATE FUNDS TO THE JUDICIAL DEPARTMENT TO ASSIST WITH IMPLEMENTATION COSTS.

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

By Senator McKissick:

**S.B. 1394**, A BILL TO BE ENTITLED AN ACT TO ENACT TAX INCENTIVES FOR GAMING COMPANIES.

Referred to the **Finance Committee**.

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By Senators Garrou; Brunstetter and Swindell:

**S.B. 1395**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ARMED FORCES INSTITUTE FOR REGENERATIVE MEDICINE.

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

By Senators Garrou; and Brunstetter:

**S.B. 1396**, A BILL TO BE ENTITLED AN ACT TO PROMOTE LOW-COST GREEN EDUCATION THROUGH THE ESTABLISHMENT OF A NORTH CAROLINA HIGH SCHOOL-BASED RENEWABLE FUELS GO-KART COMPETITION.

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

By Senators McKissick; Atwater, Jones, Purcell and Vaughan:

**S.B. 1397**, A BILL TO BE ENTITLED AN ACT TO REDUCE PRISON COSTS BY APPROPRIATING FUNDS TO PROVIDE COMPREHENSIVE RESIDENTIAL TREATMENT AND VOCATIONAL TRAINING FOR PROBATIONERS WITH SUBSTANCE ABUSE DISORDERS AND TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO CONDUCT A PILOT PROGRAM OF THE USE OF SUCH TREATMENT AND TRAINING FOR MINIMUM SECURITY INMATES.

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

By Senators McKissick; Atwater, Jones, Kinnaird, Purcell, Stein and Vaughan:

**S.B. 1398**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN TAX INCIDENCE REPORTS BY THE DEPARTMENT OF REVENUE.

Referred to the **Finance Committee**.

By Senators McKissick and Atwater:

**S.B. 1399**, A BILL TO BE ENTITLED AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY.

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

By Senators Davis; Atwater, Dickson and Jones:

**S.B. 1400**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY.

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

By Senator Graham:

**S.B. 1401**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMERGENCY PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY.

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

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By Senator Graham:

**S.B. 1402**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING FOR BENEFITS UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY.

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

By Senators Stein; Atwater, Stevens and Tillman:

**S.B. 1403**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY.

Referred to the **Finance Committee**.

By Senators Stein; Stevens and Tillman:

**S.B. 1404**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY CAN BE CONVENED AND TO APPROPRIATE FUNDS TO ASSIST WITH THE ADMINISTRATIVE COSTS INCURRED IN EXPANDING THE SCOPE OF THE INVESTIGATIVE JURY.

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

By Senator Boseman:

**S.J.R. 1405**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COURT SHALL NOT REVOKE THE PROBATION OF A FIRST TIME DRUG OFFENDER WHO IS PARTICIPATING IN A DRUG EDUCATION PROGRAM IF THE DEFENDANT IS CHARGED WITH ANOTHER CRIME UNLESS THE DEFENDANT IS CONVICTED OF THE ADDITIONAL CRIME.

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

By Senator Boseman:

**S.B. 1406**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN VETERANS AND THEIR DEPENDENTS MAY QUALIFY FOR IN-STATE TUITION.

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

By Senator Boseman:

**S.B. 1407**, A BILL TO BE ENTITLED AN ACT TO ALLOW VIDEO GAMING FOR THE PURPOSE OF PROFIT SHARING WITH THE STATE OF NORTH CAROLINA.

Referred to the **Finance Committee**.

By Senator Soles:

**S.B. 1408**, A BILL TO BE ENTITLED AN ACT TO DIVIDE SUPERIOR COURT DISTRICT 13B INTO DISTRICTS 13B AND 13C.

Referred to the **Judiciary I Committee**.

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By Senator Soles:

**S.B. 1409**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF UNUSED ASSESSMENTS PAID TO THE CITY OF BOILING SPRING LAKES.

Referred to the **Finance Committee**.

By Senators Jacumin; and Tillman:

**S.B. 1410**, A BILL TO BE ENTITLED AN ACT TO PERMIT HOME SCHOOL, CHARTER SCHOOL, AND PRIVATE SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

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

By Senator Vaughan:

**S.B. 1411**, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORIZATION TO ISSUE SPECIAL INDEBTEDNESS TO FINANCE THE CAPITAL FACILITY COSTS OF COMPLETING AN ACADEMIC CLASSROOM AND OFFICE BUILDING AT THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO.

Referred to the **Finance Committee**.

By Senators Vaughan, Dorsett; Berger of Rockingham and Bingham:

**S.B. 1412**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY.

Referred to the **Finance Committee**.

By Senators Vaughan, Dorsett; Berger of Rockingham and Bingham:

**S.B. 1413**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT CELL PHONE NUMBERS OF CELL PHONES PROVIDED TO PUBLIC LAW ENFORCEMENT OFFICERS BY THEIR AGENCIES SHALL BE CONSIDERED PART OF THE RECORDS OF CRIMINAL INVESTIGATIONS IN THE CITY OF GREENSBORO AND THEREFORE ARE NOT PUBLIC RECORDS.

Referred to the **Judiciary I Committee**.

By Senator Davis:

**S.B. 1414**, A BILL TO BE ENTITLED AN ACT TO ASSIST SMALL BUSINESSES.

Referred to the **Finance Committee**.

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By Senator Snow:

**S.B. 1415**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL.

Referred to the **State & Local Government Committee** and upon a favorable report, re-referred to the **Appropriations/Base Budget Committee**.

By Senator Bingham:

**S.J.R. 1416**, A JOINT RESOLUTION TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE IMPACT OF ENVIRONMENTAL TOXINS ON HUMAN HEALTH.

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

By Senator Graham:

**S.B. 1417**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BLUE RIBBON COMMISSION ON GRADUATION DISPARITY.

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

By Senator Graham:

**S.B. 1418**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO BE USED TO PLAN EXPANSION OF THE MEDICAL SCHOOLS AT EAST CAROLINA UNIVERSITY AND THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, AND TO PLAN EXPANSION OF THE MEDICAL AND RESEARCH PARTNERSHIP BETWEEN THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL AND THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE.

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

By Senator Kinnaird:

**S.B. 1419**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERMITS FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR THE REUSE OF COMBUSTION PRODUCTS AND FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR STRUCTURAL FILL AND TO ESTABLISH PERMIT FEES FOR THESE DISPOSAL SITES, IN ORDER TO ADEQUATELY PROTECT THE PUBLIC HEALTH AND THE ENVIRONMENT.

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

By Senator Clary:

**S.B. 1420**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE.

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

May 26, 2010

By Senator Clary:

**S.B. 1421**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE.

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

By Senator Clary:

**S.B. 1422**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR COMPUTER AND SOFTWARE REPAIRS TO THE STATEWIDE REGISTRY COMPUTER SYSTEM.

Referred to the **Judiciary I Committee**.

By Senator Clary:

**S.B. 1423**, 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 OWED TO THE STATE RETIREMENT SYSTEM FOR A SPECIFIED PERIOD.

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

By Senators Stein; Atwater, Graham, Kinnaird and Stevens:

**S.B. 1424**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR CONSTRUCTING FACILITIES MANUFACTURING GREEN ENERGY PROPERTY.

Referred to the **Finance Committee**.

By Senator Brock:

**S.B. 1425**, A BILL TO BE ENTITLED AN ACT CREATING THE LEGISLATIVE STUDY COMMISSION ON EFFICIENT E-COMMERCE IN STATE GOVERNMENT.

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

By Senator Brock:

**S.B. 1426**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX RATE.

Referred to the **Finance Committee**.

May 26, 2010

By Senator Brock:

**S.J.R. 1427**, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATING TO WHETHER TO CONSOLIDATE SOME STATE AGENCIES AND DEPARTMENTS TO ACHIEVE INCREASED EFFICIENCY AND COST SAVINGS.

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

By Senators Goss; and Atwater:

**S.B. 1428**, A BILL TO BE ENTITLED AN ACT TO INCREASE INVESTMENT IN GREEN JOBS AND TECHNOLOGY.

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

By Senator Graham:

**S.J.R. 1429**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HEARINGS UNDER THE RACIAL JUSTICE ACT SHALL BE CONDUCTED ONLY AS POSTCONVICTION PROCEEDINGS.

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

By Senators Graham; and Hartsell:

**S.B. 1430**, A BILL TO BE ENTITLED AN ACT TO PERMIT MIXED GOVERNMENTAL ENTITIES A SALES AND USE TAX REFUND.

Referred to the **Finance Committee**.

By Senator Graham:

**S.B. 1431**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EFFICIENCY OF PROPERTY TAX APPEALS IN MECKLENBURG COUNTY.

Referred to the **Finance Committee**.

By Senator Bingham:

**S.B. 1432**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF LEXINGTON.

Referred to the **Finance Committee**.

By Senator Berger of Rockingham:

**S.B. 1433**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR OPEN RECORDS BY REQUIRING THE RELEASE OF LETTERS OF RECOMMENDATION, DISCIPLINARY ACTIONS, AND OTHER CAREER INFORMATION PERTAINING TO STATE EMPLOYEES AND GIVING STATE EMPLOYEES THE RIGHT TO INSPECT THEIR OWN PERSONNEL FILE IN ITS ENTIRETY.

Referred to the **Judiciary I Committee**.

May 26, 2010



By Senator Queen:

**S.B. 1434**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FARMLAND PRESERVATION.

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

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**S.B. 1153**, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35458, which changes the title to read **S.B. 1153** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, is adopted and engrossed.

**S.B. 1307**, A BILL TO BE ENTITLED AN ACT TO MODIFY REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, 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 55606, is adopted and engrossed.

**S.B. 1309**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO WAIVE TEMPORARILY CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES FOR PARTICIPANTS IN THE FIRST EVALUATION PILOT PROGRAM AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY CERTAIN ISSUES RELATING TO THE PROGRAM, 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 35459, is adopted and engrossed.

May 26, 2010

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

**S.B. 655**, 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, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 15407, is adopted and engrossed.

**S.B. 1171**, A BILL TO BE ENTITLED AN ACT TO MODIFY AND CLARIFY ELIGIBILITY FOR JOB CREATION TO KEEP NORTH CAROLINA COMPETITIVE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75392, which changes the title to read **S.B. 1171** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS AND FOR ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT, is adopted and engrossed.

**S.B. 1177**, 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 55607, is adopted and engrossed.

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

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

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM.

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

May 26, 2010

**S.B. 704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SOLELY PROVIDE AUTHORIZATION FOR THE STATE BOARD OF EDUCATION TO APPROVE REQUESTS OF LOCAL BOARDS OF EDUCATION TO REFORM CONTINUALLY LOW-PERFORMING SCHOOLS AS EITHER A TRANSFORMATION MODEL, RESTART MODEL, TURNAROUND MODEL, OR SCHOOL CLOSURE MODEL; TO DEFINE TRANSFORMATION MODEL AS A SCHOOL WHICH INCREASES TEACHER AND SCHOOL LEADER EFFECTIVENESS, CREATES COMPREHENSIVE INSTRUCTIONAL REFORM STRATEGIES, INCREASES LEARNING TIME, CREATES COMMUNITY-ORIENTED SCHOOLS, AND PROVIDES OPERATIONAL FLEXIBILITY AND SUSTAINED SUPPORT; TO DEFINE RESTART MODEL AS ALLOWING THE SCHOOL TO OPERATE UNDER THE SAME RULES AS A CHARTER SCHOOL OR UNDER THE MANAGEMENT OF AN EDUCATIONAL MANAGEMENT ORGANIZATION WITH NO INCREASE IN THE MAXIMUM NUMBER OF CHARTER SCHOOLS AS PROVIDED IN G.S. 115C-238.29D(B); TO DEFINE TURNAROUND MODEL AS REPLACING THE PRINCIPAL IF THE PRINCIPAL HAS BEEN IN THAT POSITION FOR AT LEAST THREE YEARS AND REHIRING NO MORE THAN FIFTY PERCENT OF SCHOOL STAFF, ADOPTING A NEW SCHOOL GOVERNANCE STRUCTURE CONSISTENT WITH ARTICLE 8B OF CHAPTER 115C OF THE GENERAL STATUTES, AND IMPLEMENTING AN INSTRUCTIONAL PROGRAM ALIGNED WITH THE STANDARD COURSE OF STUDY; TO DEFINE SCHOOL CLOSURE MODEL AS CLOSING THE SCHOOL CONSISTENT WITH G.S. 115C-72 AND ENROLLING THE STUDENTS IN ANOTHER HIGHER-ACHIEVING SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT CONSISTENT WITH ARTICLE 25 OF CHAPTER 115C OF THE GENERAL STATUTES; AND TO PROVIDE AUTHORIZATION TO THE STATE BOARD TO ADOPT RULES AND PROCEDURES CONSISTENT WITH THESE DEFINED MODELS; AND TO IMPLEMENT THESE MODELS WITH ANNUAL REPORTING TO THE STATE BOARD OF EDUCATION FROM THE LOCAL SCHOOL ADMINISTRATIVE UNITS, for concurrence in the House Committee Substitute bill.

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

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:15 P.M.

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May 26, 2010

**ONE HUNDRED AND TWENTY-SECOND DAY**

Senate Chamber  
Thursday, May 27, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, the work of the Senate draws to a close this week at the same time that we are about to begin the Memorial Day weekend. Help us all to truly celebrate the heroes who have given their lives for our Country. Some of them are the subjects of history books, but most died in relative obscurity, heroes only to a few, a spouse, family members, friends. By remembering these men and women, it means that we carry something of who they were with us, that they have left some mark of who they were on who we are. The greatest honor we can offer is to remember. We also remember in prayer today Senator Soles and the Soles family in the death of his father. Grant them a strong sense of your presence during this difficult time. Amen."

The Chair grants leaves of absence for today to Senator Albertson, Senator Apodaca, Senator Boseman, Senator Dorsett, Senator Jacumin, Senator Queen, and Senator Soles.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, May 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.

*The Chair extends privileges of the floor to Van Whitaker from Greensboro, 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. 589**, AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS.

**CALENDAR**

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

May 27, 2010

**S.B. 1135**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 41, noes 0, as follows:

Voting in the affirmative: Senators Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Blake, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Rouzer, Rucho, Shaw, Snow, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---41.

Voting in the negative: None.

Upon motion of Senator Hoyle, the bill is placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 1146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN ORDINANCE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Blake, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Rouzer, Rucho, Shaw, Snow, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---42.

Voting in the negative: None.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 1114** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE COUNTY OF MECKLENBURG FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND MECKLENBURG COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

May 27, 2010

**S.B. 1120**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1238**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN RUTHERFORD COUNTY AT THE END OF THE CURRENT TERM.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1171** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS AND FOR ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 39, noes 4, as follows:

Voting in the affirmative: Senators Allran, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jenkins, Jones, McKissick, Nesbitt, Preston, Purcell, Rouzer, Rucho, Shaw, Snow, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---39.

Voting in the negative: Senators Brock, East, Goodall and Kinnaird---4.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 1177** (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 42, noes 0, as follows:

Voting in the affirmative: Senators Allran, Atwater, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Rouzer, Rucho, Shaw, Snow, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---42.

Voting in the negative: None.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, June 1, upon third reading.

May 27, 2010

**S.B. 655** (Committee Substitute), 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.

The Committee Substitute bill passes its second reading (38-4).

Senator Berger of Rockingham objects to third reading of the measure. Pursuant to Rule 50 and upon motion of Senator Hoyle, the President orders the measure placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 1151**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

The bill passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1152**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

The bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1153** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

The Committee Substitute bill passes its second reading (43-0).

Senator Hunt objects to third reading of the measure. Pursuant to Rule 50 and upon motion of Senator Hoyle, the President orders the measure placed on the Calendar for Tuesday, June 1, upon third reading.

**S.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND REPORT ON A PLAN FOR MODIFYING THE CERTIFICATION PROCESS FOR CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

May 27, 2010

The bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1307** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

The Committee Substitute bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1309** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO WAIVE TEMPORARILY CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES FOR PARTICIPANTS IN THE FIRST EVALUATION PILOT PROGRAM AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY CERTAIN ISSUES RELATING TO THE PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

The Committee Substitute bill passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1319**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, IN CONSULTATION WITH THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO EXAMINE AND ADJUST THE RATES FOR SERVICES PROVIDED THROUGH THE INTERNATIONAL CENTER FOR CLUBHOUSE DEVELOPMENT CLUBHOUSE MODEL OF PSYCHOSOCIAL REHABILITATION.

The bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1251** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT DESIGNATING THE COLONIAL SPANISH MUSTANG AS THE OFFICIAL HORSE OF THE STATE OF NORTH CAROLINA.

The Senate Committee Substitute bill passes its second reading (38-5) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

May 27, 2010



**H.B. 1429** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE FOR COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS.

The Senate Committee Substitute bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

The Senate recesses at 10:57 A.M. for the purpose of an Education/Higher Education Committee to reconvene at 12:00 Noon subject to introduction of bills, ratification of bills and receipt of messages from the House of Representatives.

### RECESS

### 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 Brunstetter:

**S.B. 1435**, A BILL TO BE ENTITLED AN ACT RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM.

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

By Senator Snow:

**S.B. 1436**, A BILL TO BE ENTITLED AN ACT DEALING WITH RELIEF TO GRAHAM COUNTY DUE TO A FIRE THAT DESTROYED THE SHERIFF'S DEPARTMENT.

Referred to the **Judiciary II Committee**.

By Senator Snow:

**S.B. 1437**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ANNUAL ELECTION OF A MAYOR PRO TEMPORE BY THE HIGHLANDS TOWN BOARD.

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

By Senator Boseman:

**S.B. 1438**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO ALLOW FOR MEMBERS OF THE ABC BOARD TO SERVE AT THE PLEASURE OF THE BOARD OF COUNTY COMMISSIONERS.

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

May 27, 2010

By Senator Boseman:

**S.B. 1439**, A BILL TO BE ENTITLED AN ACT AUTHORIZING NEW HANOVER COUNTY TO IMPOSE A PRIVILEGE LICENSE TAX IN LIMITED CIRCUMSTANCES.

Referred to the **Finance Committee**.

By Senators Queen; Atwater, Berger of Franklin, Davis, Dickson, Kinnaird, McKissick and Snow:

**S.B. 1440**, A BILL TO BE ENTITLED AN ACT CREATING THE JOINT BROADBAND-SMART GRID TASK FORCE TO ADVANCE BROADBAND DEPLOYMENT AND ENERGY SAVINGS FOR CONSUMERS AND BUSINESSES IN NORTH CAROLINA AND TO ENABLE ALTERNATIVE ENERGY DEVELOPMENT CRUCIAL TO THE STATE.

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

By Senators Queen; Atwater, Berger of Franklin, Davis, Dickson, Kinnaird, McKissick and Snow:

**S.B. 1441**, A BILL TO BE ENTITLED AN ACT DIRECTING THE E-NC AUTHORITY TO FILE A REQUEST FOR NORTH CAROLINA TO BE A PILOT STATE IN THE FEDERAL COMMUNICATIONS COMMISSION LIFELINE ONLINE PROGRAM TO EXTEND BROADBAND ACCESS.

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

By Senators Queen; Atwater, Berger of Franklin, Davis, Kinnaird, McKissick and Snow:

**S.B. 1442**, 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 THROUGHOUT THE STATE.

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

By Senator Hartsell:

**S.B. 1443**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS OF A SUBDIVISION CONTROL ORDINANCE FOR THE CITY OF KANNAPOLIS.

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

By Senator Hartsell:

**S.B. 1444**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS.

Referred to the **Finance Committee**.

By Senators Davis and Rouzer:

**S.B. 1445**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO CONVEY BY PRIVATE NEGOTIATION AND

SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, AND CREATING THE WAYNE AIRPORT AUTHORITY.

Referred to the **Judiciary II Committee** and upon a favorable report, re-referred to the **Finance Committee**.

By Senators McKissick; and Atwater:

**S.B. 1446**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES.

Referred to the **Finance Committee**.

By Senator Berger of Rockingham:

**S.B. 1447**, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING, FISHING, AND TRAPPING ON PRIVATE LAND IN ROCKINGHAM COUNTY.

Referred to the **Finance Committee**.

By Senator Vaughan:

**S.B. 1448**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO GIVE THE CITY MANAGER GREATER AUTHORITY TO APPROVE, AWARD, AND EXECUTE SERVICES CONTRACT.

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

By Senator Jacumin:

**S.B. 1449**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF LAKE JAMES.

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

By Senators Garrou; Hoyle and Swindell:

**S.B. 1450**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORMAL RETIREMENT AGE FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WHO BEGIN SERVICE ON OR AFTER JANUARY 1, 2011, TO ELIMINATE LONGEVITY PAY FOR STATE EMPLOYEES AND OFFICERS WHO BEGIN SERVICE ON OR AFTER JANUARY 1, 2011, TO MAKE CHANGES IN THE STATE HEALTH PLAN FOR NEW EMPLOYEES, AND TO CHANGE THE DEFINITION OF "LAW ENFORCEMENT OFFICER" FOR PURPOSES OF BENEFITS FOR NEW EMPLOYEES.

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

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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**S.B. 254** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL, for concurrence in the House Committee Substitute bill.

Referred to the **Judiciary I Committee**.

**H.J.R. 1940**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.

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

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Foriest for the **Education/Higher Education Committee**:

**S.B. 704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SOLELY PROVIDE AUTHORIZATION FOR THE STATE BOARD OF EDUCATION TO APPROVE REQUESTS OF LOCAL BOARDS OF EDUCATION TO REFORM CONTINUALLY LOW-PERFORMING SCHOOLS AS EITHER A TRANSFORMATION MODEL, RESTART MODEL, TURNAROUND MODEL, OR SCHOOL CLOSURE MODEL; TO DEFINE TRANSFORMATION MODEL AS A SCHOOL WHICH INCREASES TEACHER AND SCHOOL LEADER EFFECTIVENESS, CREATES COMPREHENSIVE INSTRUCTIONAL REFORM STRATEGIES, INCREASES LEARNING TIME, CREATES COMMUNITY-ORIENTED SCHOOLS, AND PROVIDES OPERATIONAL FLEXIBILITY AND SUSTAINED SUPPORT; TO DEFINE RESTART MODEL AS ALLOWING THE SCHOOL TO OPERATE UNDER THE SAME RULES AS A CHARTER SCHOOL OR UNDER THE MANAGEMENT OF AN EDUCATIONAL MANAGEMENT ORGANIZATION WITH NO INCREASE IN THE MAXIMUM NUMBER OF CHARTER SCHOOLS AS PROVIDED IN G.S. 115C-238.29D(b); TO DEFINE TURNAROUND MODEL AS REPLACING THE PRINCIPAL IF THE PRINCIPAL HAS BEEN IN THAT POSITION FOR AT LEAST THREE YEARS AND REHIRING NO MORE THAN FIFTY PERCENT OF SCHOOL STAFF, ADOPTING A NEW SCHOOL GOVERNANCE STRUCTURE CONSISTENT WITH ARTICLE 8B OF CHAPTER 115C OF THE GENERAL STATUTES, AND

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IMPLEMENTING AN INSTRUCTIONAL PROGRAM ALIGNED WITH THE STANDARD COURSE OF STUDY; TO DEFINE SCHOOL CLOSURE MODEL AS CLOSING THE SCHOOL CONSISTENT WITH G.S. 115C-72 AND ENROLLING THE STUDENTS IN ANOTHER HIGHER-ACHIEVING SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT CONSISTENT WITH ARTICLE 25 OF CHAPTER 115C OF THE GENERAL STATUTES; AND TO PROVIDE AUTHORIZATION TO THE STATE BOARD TO ADOPT RULES AND PROCEDURES CONSISTENT WITH THESE DEFINED MODELS; AND TO IMPLEMENT THESE MODELS WITH ANNUAL REPORTING TO THE STATE BOARD OF EDUCATION FROM THE LOCAL SCHOOL ADMINISTRATIVE UNITS, with a favorable report as to concurrence.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute is placed on the Calendar for immediate consideration, upon concurrence.

The Senate recesses at 12:15 P.M. to reconvene at 12:25 P.M.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

The Senate recesses at 12:44 P.M. to reconvene at 1:00 P.M.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

### CALENDAR *(continued)*

**S.B. 704** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SOLELY PROVIDE AUTHORIZATION FOR THE STATE BOARD OF EDUCATION TO APPROVE REQUESTS OF LOCAL BOARDS OF EDUCATION TO REFORM CONTINUALLY LOW-PERFORMING SCHOOLS AS EITHER A TRANSFORMATION MODEL, RESTART MODEL, TURNAROUND MODEL, OR SCHOOL CLOSURE MODEL; TO DEFINE TRANSFORMATION MODEL AS A SCHOOL WHICH INCREASES TEACHER AND SCHOOL LEADER EFFECTIVENESS, CREATES COMPREHENSIVE INSTRUCTIONAL REFORM STRATEGIES, INCREASES LEARNING TIME, CREATES COMMUNITY-ORIENTED SCHOOLS, AND PROVIDES OPERATIONAL FLEXIBILITY AND SUSTAINED SUPPORT; TO DEFINE RESTART MODEL AS ALLOWING THE SCHOOL TO OPERATE UNDER THE SAME RULES AS A CHARTER SCHOOL OR UNDER THE MANAGEMENT OF AN EDUCATIONAL MANAGEMENT ORGANIZATION WITH NO INCREASE IN THE

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MAXIMUM NUMBER OF CHARTER SCHOOLS AS PROVIDED IN G.S. 115C-238.29D(b); TO DEFINE TURNAROUND MODEL AS REPLACING THE PRINCIPAL IF THE PRINCIPAL HAS BEEN IN THAT POSITION FOR AT LEAST THREE YEARS AND REHIRING NO MORE THAN FIFTY PERCENT OF SCHOOL STAFF, ADOPTING A NEW SCHOOL GOVERNANCE STRUCTURE CONSISTENT WITH ARTICLE 8B OF CHAPTER 115C OF THE GENERAL STATUTES, AND IMPLEMENTING AN INSTRUCTIONAL PROGRAM ALIGNED WITH THE STANDARD COURSE OF STUDY; TO DEFINE SCHOOL CLOSURE MODEL AS CLOSING THE SCHOOL CONSISTENT WITH G.S. 115C-72 AND ENROLLING THE STUDENTS IN ANOTHER HIGHER-ACHIEVING SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT CONSISTENT WITH ARTICLE 25 OF CHAPTER 115C OF THE GENERAL STATUTES; AND TO PROVIDE AUTHORIZATION TO THE STATE BOARD TO ADOPT RULES AND PROCEDURES CONSISTENT WITH THESE DEFINED MODELS; AND TO IMPLEMENT THESE MODELS WITH ANNUAL REPORTING TO THE STATE BOARD OF EDUCATION FROM THE LOCAL SCHOOL ADMINISTRATIVE UNITS, for concurrence in the House Committee Substitute bill.

Senator Hoyle calls the previous question on the passage of the House Committee Substitute bill, seconded by Senator Jenkins and subsequently withdraws the call for the previous question.

Senator Snow announces a pair vote. If Senator Queen were present, he would vote "aye"; Senator Snow votes "no".

Senator Goss announces a pair vote. If Senator Soles were present, he would vote "aye"; Senator Goss votes "no".

Senator Davis announces a pair vote. If Senator Albertson were present, he would vote "aye"; Senator Davis votes "no".

Upon motion of Senator Foriest, the Senate concurs in the House Committee Substitute bill (21-19) and the bill is ordered enrolled and sent to the Governor by special message.

#### **ADDITIONAL SPONSOR**

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

**S.J.R. 1349**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF WILLFUL FAILURE TO CARRY OR COMPLETE AN ALIEN REGISTRATION DOCUMENT.

Upon motion of Senator Basnight, seconded by Senator Hartsell, the Senate adjourns in memory of members of the Armed Services who have died in service, subject to introduction of bills, ratification of bills and reading of messages from the House of Representatives, to meet Friday, May 28, at 9:00 A.M.

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**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. 1390**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY. (Res. 3)

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

**S.B. 704**, AN ACT TO SOLELY PROVIDE AUTHORIZATION FOR THE STATE BOARD OF EDUCATION TO APPROVE REQUESTS OF LOCAL BOARDS OF EDUCATION TO REFORM CONTINUALLY LOW-PERFORMING SCHOOLS AS EITHER A TRANSFORMATION MODEL, RESTART MODEL, TURNAROUND MODEL, OR SCHOOL CLOSURE MODEL; TO DEFINE TRANSFORMATION MODEL AS A SCHOOL WHICH INCREASES TEACHER AND SCHOOL LEADER EFFECTIVENESS, CREATES COMPREHENSIVE INSTRUCTIONAL REFORM STRATEGIES, INCREASES LEARNING TIME, CREATES COMMUNITY-ORIENTED SCHOOLS, AND PROVIDES OPERATIONAL FLEXIBILITY AND SUSTAINED SUPPORT; TO DEFINE RESTART MODEL AS ALLOWING THE SCHOOL TO OPERATE UNDER THE SAME RULES AS A CHARTER SCHOOL OR UNDER THE MANAGEMENT OF AN EDUCATIONAL MANAGEMENT ORGANIZATION WITH NO INCREASE IN THE MAXIMUM NUMBER OF CHARTER SCHOOLS AS PROVIDED IN G.S. 115C-238.29D(b); TO DEFINE TURNAROUND MODEL AS REPLACING THE PRINCIPAL IF THE PRINCIPAL HAS BEEN IN THAT POSITION FOR AT LEAST THREE YEARS AND REHIRING NO MORE THAN FIFTY PERCENT OF SCHOOL STAFF, ADOPTING A NEW SCHOOL GOVERNANCE STRUCTURE CONSISTENT WITH ARTICLE 8B OF CHAPTER 115C OF THE GENERAL STATUTES, AND IMPLEMENTING AN INSTRUCTIONAL PROGRAM ALIGNED WITH THE STANDARD COURSE OF STUDY; TO DEFINE SCHOOL CLOSURE MODEL AS CLOSING THE SCHOOL CONSISTENT WITH G.S. 115C-72 AND ENROLLING THE STUDENTS IN ANOTHER HIGHER-ACHIEVING SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT CONSISTENT WITH ARTICLE 25 OF CHAPTER 115C OF THE GENERAL STATUTES; AND TO PROVIDE AUTHORIZATION TO THE STATE BOARD TO ADOPT RULES AND PROCEDURES CONSISTENT WITH THESE DEFINED MODELS; AND TO IMPLEMENT THESE MODELS WITH ANNUAL REPORTING TO THE STATE BOARD OF EDUCATION FROM THE LOCAL SCHOOL ADMINISTRATIVE UNITS.

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Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 1:15 P.M.

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**ONE HUNDRED AND TWENTY-THIRD DAY**

Senate Chamber  
Friday, May 28, 2010

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 Richard Stevens, who presides in the absence of the Lieutenant Governor.

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

"Dear God, I ask your blessings today on Senators Rouzer, Stein, Stevens, on Janet and Susie, Paul and Adam, on Cecil and Martha, Jon, Forrest, Robert, Jon and our security person who is up in the gallery. On a day when so few are here it affords me the special opportunity to call each person by name. We ask that you grant each of them a special measure of your grace and your blessing today and in the days ahead. Amen."

The Chair grants leaves of absence for today to Senator Dorsett and Senator Goodall.

Senator Rouzer announces that the Journal of Thursday, May 27, 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.

Upon motion of Senator Stein, seconded by Senator Rouzer, the Senate adjourns at 9:02 A.M. to meet Tuesday, June 1, at 2:00 P.M.

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**ONE HUNDRED AND TWENTY-FOURTH DAY**

Senate Chamber  
Tuesday, June 1, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, as we begin this week in the Senate we ask that you be a part of every conversation, committee meeting and every session. Your presence not only will help guide what we say, but also how we communicate those words. Though we mentioned the Gulf of Mexico oil crisis last week, after several unsuccessful attempts the oil continues to gush into the sea. We have empathy for the environmental disaster that has affected states located on that coastline. What if it were happening to our fishermen and fisheries, our seafood industry and our marine ecology in the Albemarle, Pamlico and Bogue Sounds. And so we pray for our neighbors there and specifically for the next attempt to cap the oil flow. We're grateful, O God, that the weight of the world does not rest on our shoulders. Remind those supervising this operation of Holy Scripture's promise. We can do all things through you who strengthens and guides us. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Graham, and Senator Hartsell.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Friday, 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.

*The Chair extends privileges of the floor to Judy Schneider from Garner, North Carolina, who is serving the Senate as Nurse of the Day.*

**CHAPTERED BILLS AND RESOLUTIONS**

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

**S.B. 704**, AN ACT TO SOLELY PROVIDE AUTHORIZATION FOR THE STATE BOARD OF EDUCATION TO APPROVE REQUESTS OF LOCAL BOARDS OF EDUCATION TO REFORM CONTINUALLY LOW-PERFORMING SCHOOLS AS EITHER A TRANSFORMATION MODEL, RESTART MODEL, TURNAROUND MODEL, OR SCHOOL CLOSURE MODEL; TO DEFINE TRANSFORMATION MODEL AS A SCHOOL WHICH INCREASES TEACHER AND SCHOOL LEADER

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EFFECTIVENESS, CREATES COMPREHENSIVE INSTRUCTIONAL REFORM STRATEGIES, INCREASES LEARNING TIME, CREATES COMMUNITY-ORIENTED SCHOOLS, AND PROVIDES OPERATIONAL FLEXIBILITY AND SUSTAINED SUPPORT; TO DEFINE RESTART MODEL AS ALLOWING THE SCHOOL TO OPERATE UNDER THE SAME RULES AS A CHARTER SCHOOL OR UNDER THE MANAGEMENT OF AN EDUCATIONAL MANAGEMENT ORGANIZATION WITH NO INCREASE IN THE MAXIMUM NUMBER OF CHARTER SCHOOLS AS PROVIDED IN G.S. 115C-238.29D(b); TO DEFINE TURNAROUND MODEL AS REPLACING THE PRINCIPAL IF THE PRINCIPAL HAS BEEN IN THAT POSITION FOR AT LEAST THREE YEARS AND REHIRING NO MORE THAN FIFTY PERCENT OF SCHOOL STAFF, ADOPTING A NEW SCHOOL GOVERNANCE STRUCTURE CONSISTENT WITH ARTICLE 8B OF CHAPTER 115C OF THE GENERAL STATUTES, AND IMPLEMENTING AN INSTRUCTIONAL PROGRAM ALIGNED WITH THE STANDARD COURSE OF STUDY; TO DEFINE SCHOOL CLOSURE MODEL AS CLOSING THE SCHOOL CONSISTENT WITH G.S. 115C-72 AND ENROLLING THE STUDENTS IN ANOTHER HIGHER-ACHIEVING SCHOOL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT CONSISTENT WITH ARTICLE 25 OF CHAPTER 115C OF THE GENERAL STATUTES; AND TO PROVIDE AUTHORIZATION TO THE STATE BOARD TO ADOPT RULES AND PROCEDURES CONSISTENT WITH THESE DEFINED MODELS; AND TO IMPLEMENT THESE MODELS WITH ANNUAL REPORTING TO THE STATE BOARD OF EDUCATION FROM THE LOCAL SCHOOL ADMINISTRATIVE UNITS. (Became law upon approval of the Governor, May 27, 2010 - S.L. 2010-1.)

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 1940**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY, referred to the **Rules and Operations of the Senate Committee** on May 27.

Pursuant to Rule 47(a), Senator Hoyle 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, June 2, 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, June 2.

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE

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HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM, referred to the **Rules and Operations of the Senate Committee** on May 26.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Employee Hospital and Medical Benefits**, 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 **Select Committee on Employee Hospital and Medical Benefits**.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator East for the **State & Local Government Committee**:

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CABARRUS COUNTY TOURISM AUTHORITY, with a favorable report.

**S.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, with a favorable report.

### 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 Berger of Rockingham:

**S.J.R. 1451**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CANCELLATION OF A JUDGMENT OF CONVICTION FOR THE CRIMINAL OFFENSE OF POSSESSION OF CRACK COCAINE, TO AMEND THE LAW REGARDING THE EXPUNCTION OF THAT CRIMINAL OFFENSE FROM A PERSON'S RECORD, AND TO MAKE TECHNICAL CORRECTIONS.

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

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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**S.B. 140** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES, AND TO LIMIT THE LIABILITY OF DOMESTIC VIOLENCE SHELTERS FOR TORTIOUS CONDUCT COMMITTED ON SHELTER PREMISES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 2, for concurrence.

**S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 2, for concurrence.

**S.B. 388** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN GRANTS MADE UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT FROM THE DEFINITION OF PUBLIC FUNDS FOR WHICH A CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY IS NOT AVAILABLE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 2, for concurrence.

**S.B. 1022** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO GIVE FLEXIBILITY TO MAKE UP INSTRUCTIONAL DAYS MISSED DUE TO INCLEMENT WEATHER DURING THE 2009-2010 SCHOOL YEAR TO LOCAL SCHOOL ADMINISTRATIVE UNITS OR CHARTER SCHOOLS LOCATED IN ASHE, AVERY, CHEROKEE, CLAY, GRAHAM, HAYWOOD, JACKSON, MACON, SWAIN, TRANSYLVANIA, AND WATAUGA COUNTIES, for concurrence in the House Committee Substitute bill No. 2.

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

**H.B. 1664**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK.

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

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**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

**H.B. 1694**, A BILL TO BE ENTITLED AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

**H.B. 1713**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

**H.B. 1840**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS.

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

### CALENDAR

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

**S.B. 1135**, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK, 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, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---47.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

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**S.B. 1146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN ORDINANCE, 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, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---47.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1171** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS AND FOR ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT, upon third reading.

Senator Clodfelter offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 43, noes 4, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blue, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Forrester, Garrou, Goss, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: Senators Blake, Brock, East and Goodall---4.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

**S.B. 1177** (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 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hoyle, Hunt, Jacumin,

Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---47.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 655** (Committee Substitute), 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.

The Committee Substitute bill passes its third reading (42-5) and is ordered sent to the House of Representatives.

**S.B. 1153** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

The Committee Substitute bill passes its third reading (47-0) and is ordered sent to the House of Representatives.

#### SENATE PAGES

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

Cecilia Best, Albertson; Ben Bradley, Jr., Wilson; Scott Braswell, Charlotte; Lauren Broadwell, Wendell; Joseph Curry IV, Angier; Sam Freeman, Wilkesboro; Marie Gentry, Greensboro; Sean Grier, High Point; Phillip Hedrick, Jr., Greensboro; Jayne Langmeyer, Greensboro; Ellen Laws, Wilkesboro; Neel Mandavilli, Cary; David Ojo, Fayetteville; Amoz Outlaw, Williamston; Emily Rangel, Greensboro; Kristin Rose, Summerfield; Katherine Sanders, Garner; David Scoggins, Denver; Courtney Speight, Fremont; Lizzie Thomas, Greensboro; Haley Wachter, Elizabethtown; Paul Williams, Raleigh and Perry Williams, Raleigh.

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 1212**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL GOVERNMENT OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND AND TO ALLOW EACH UNIT OF LOCAL GOVERNMENT TO ESTABLISH A SEPARATE OPEB TRUST FUND THAT MAY THEN BE INVESTED BY THE DEPARTMENT OF STATE TREASURER, with a favorable report.

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By Senator Soles for the **Commerce Committee**:

**H.B. 1249**, A BILL TO BE ENTITLED AN ACT ESTABLISHING DEEP VEIN THROMBOSIS AWARENESS MONTH, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 11127, which changes the title to read **H.B. 1249** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL, is adopted and engrossed.

**H.B. 766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISION FOR THE SURVIVOR'S ALTERNATE BENEFIT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A BENEFIT FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY AFTER THE COMPLETION OF FIFTEEN YEARS OF SERVICE, 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 80621, which changes the title upon concurrence to read **H.B. 766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROTECTION PROVIDED BY THE NORTH CAROLINA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AGAINST FAILURE IN THE PERFORMANCE OF CONTRACTUAL OBLIGATIONS UNDER ANNUITY CONTRACTS BECAUSE OF THE DELINQUENCY OF THE MEMBER INSURER THAT ISSUED THE POLICIES, is adopted and engrossed.

Upon motion of Senator Basnight, seconded by Senator Atwater, the Senate adjourns subject to introduction of bills, receipt of committee reports and messages from the House of Representatives, to meet Wednesday, June 2, at 2:00 P.M.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**S.B. 1378**, A BILL TO BE ENTITLED AN ACT TO CREATE JOBS AND MAKE NORTH CAROLINA MORE COMPETITIVE GLOBALLY BY FINANCING THE BUILDING OF ENGINEERING EDUCATION FACILITIES, THE ENHANCEMENT AND REPAIR OF STATE ASSETS

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AND COMMUNITY COLLEGE ASSETS, AND INVESTMENT IN RESEARCH AND JOB TRAINING EQUIPMENT AT UNIVERSITIES AND COMMUNITY COLLEGES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55612, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1291**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHERS, TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS AND TO DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE ENVIRONMENTAL PROTECTION AGENCY SURVEYS INTO THE STATE WATER SUPPLY PLAN, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85358, which changes the title to read **S.B. 1291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS AND TO DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEYS INTO THE STATE WATER SUPPLY PLAN, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, is adopted and engrossed.

**S.B. 1292**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55611, is adopted and engrossed.

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**S.B. 1294**, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DESIGN A COST SHARE PROGRAM TO ASSIST FARMERS AND LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55610, which changes the title to read **S.B. 1294** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, is adopted and engrossed.

**S.B. 1337**, A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS (USTS) IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, 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 55609, is adopted and engrossed.

By Senator Blue for the **Select Committee on Employee Hospital and Medical Benefits**:

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO

CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM, with a favorable report.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:50 P.M.

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## ONE HUNDRED AND TWENTY-FIFTH DAY

Senate Chamber  
Wednesday, June 2, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Prayer is offered by The Honorable Steve Goss as follows:

"I don't think I'll ever forget a friend of mine that told me a story a few years ago. He had become suddenly ill and was taken to one of our North Carolina hospitals. Somewhere through the process, he was left in a basement hallway waiting for x-rays. He said, 'Steve I was sitting there really feeling sorry for myself,' and he said, 'I actually slumped forward in my wheelchair. When I felt just the lightest touch on my forearm, my feet were so cold, I finally managed to look up and perhaps the little boy was six or seven years old. He was using the only hand he had and he had no feet.' Let us pray. Almighty God of heaven and earth, the rain comes and we complain. The snow comes and we complain. The heat accompanied by the sun comes and we complain. The darkness falls and we complain. The daylight is not to our liking and we complain. Can we not all realize in the words of one who wrote that there is a purpose for everything under the heavens and the one who further penned, 'all things work together for good to those who love God and are called according to His purpose.' What a beautiful day. Thank you God. Amen."

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 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 Karen Austin from Whiteville, North Carolina, who is serving the Senate as Nurse of the Day.*

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**CALENDAR**

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

**S.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, upon second reading.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, for concurrence.

Upon motion of Senator Hoyle, the House Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Judiciary I Committee**.

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with a favorable report.

**S.B. 1331**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, with a favorable report.

**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following message is received from the House of Representatives:

**S.B. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, for concurrence in the House Committee Substitute bill.

Referred to the **Judiciary II 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:

**Executive Order No. 59**, Proclamation of a State of Disaster for Hoke County.

**Executive Order No. 60**, Proclamation of a State of Disaster for Town of Highlands.

**CALENDAR** (*continued*)

**S.B. 1357**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CABARRUS COUNTY TOURISM AUTHORITY.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1378** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE JOBS AND MAKE NORTH CAROLINA MORE COMPETITIVE GLOBALLY BY FINANCING THE BUILDING OF ENGINEERING EDUCATION FACILITIES, THE ENHANCEMENT AND REPAIR OF STATE ASSETS AND COMMUNITY COLLEGE ASSETS, AND INVESTMENT IN RESEARCH AND JOB TRAINING EQUIPMENT AT UNIVERSITIES AND COMMUNITY COLLEGES.

Senator Hunt offers Amendment No. 1.

Senator Atwater offers Amendment No. 2 as a Substitute Amendment for Amendment No. 1, which is adopted (31-18).

Senator Berger of Rockingham offers Amendment No. 3.

Upon motion of Senator Berger of Rockingham, the President orders, without objection, the Committee Substitute bill temporarily displaced with Amendment No. 3 pending.

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Stevens for the **Education/Higher Education Committee**:

**S.B. 1141**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON SPORTS INJURIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

**S.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE

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FOUR-YEAR COHORT GRADUATION RATE, AND TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE, with a favorable report.

**H.B. 1140** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE EDUCATIONAL ASSISTANCE FOR MINIMUM WAGE WORKERS, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 1176**, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REORGANIZE ALL HIGH SCHOOLS THAT HAVE A HIGH DROPOUT RATE, with a favorable report.

Upon motion of Senator Stevens, the bill is re-referred to the **Appropriations/Base Budget Committee**.

**S.B. 1248**, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE AND TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55614, which changes the title to read **S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS, is adopted and engrossed.

**S.B. 1264**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR 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 75395, is adopted and engrossed.

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**S.B. 1359**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP 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 75394, is adopted and engrossed.

**H.B. 636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW TO ALLOW LOCAL BOARDS OF EDUCATION TO EXTEND THE CLOSING DATE FOR STUDENTS BY THREE DAYS UNTIL JUNE 13 TO PROVIDE FOR MAKEUP DAYS DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS AND IF ADDITIONAL MAKEUP DAYS ARE STILL NEEDED, TO USE UP TO TWO PROTECTED TEACHER WORKDAYS, 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 11130, which changes the title upon concurrence to read **H.B. 636** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER, is adopted and engrossed.

#### CALENDAR *(continued)*

**S.B. 1212**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL GOVERNMENT OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND AND TO ALLOW EACH UNIT OF LOCAL GOVERNMENT TO ESTABLISH A SEPARATE OPEB TRUST FUND THAT MAY THEN BE INVESTED BY THE DEPARTMENT OF STATE TREASURER.

The bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1291** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS AND TO DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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SURVEYS INTO THE STATE WATER SUPPLY PLAN, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1378** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE JOBS AND MAKE NORTH CAROLINA MORE COMPETITIVE GLOBALLY BY FINANCING THE BUILDING OF ENGINEERING EDUCATION FACILITIES, THE ENHANCEMENT AND REPAIR OF STATE ASSETS AND COMMUNITY COLLEGE ASSETS, AND INVESTMENT IN RESEARCH AND JOB TRAINING EQUIPMENT AT UNIVERSITIES AND COMMUNITY COLLEGES, temporarily displaced earlier today with Amendment No. 3 pending.

Senator Berger of Rockingham withdraws Amendment No. 3.

The Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 32, noes 17, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Garrou, Goss, Graham, Hartsell, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Shaw, Soles, Stein, Stevens, Swindell, Vaughan and Walters---32.

Voting in the negative: Senators Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho, Snow and Tillman---17.

The Committee Substitute bill, as amended, remains on the Calendar for Thursday, June 3, upon third reading.

**S.B. 1292** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1294** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE



NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1337** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS (USTS) IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Committee Substitute bill passes its second reading (49-0).

Senator East objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, June 3, upon third reading.

**H.B. 766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROTECTION PROVIDED BY THE NORTH CAROLINA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AGAINST FAILURE IN THE PERFORMANCE OF CONTRACTUAL OBLIGATIONS UNDER ANNUITY CONTRACTS BECAUSE OF THE DELINQUENCY OF THE MEMBER INSURER THAT ISSUED THE POLICIES.

The Senate Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**H.B. 1249** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

The Senate Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**H.B. 1707**, A BILL TO BE ENTITLED AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE

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HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM.

The bill passes its second reading (29-20) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor by special message.

**H.J.R. 1940**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.

The joint resolution passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 140** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES, AND TO LIMIT THE LIABILITY OF DOMESTIC VIOLENCE SHELTERS FOR TORTIOUS CONDUCT COMMITTED ON SHELTER PREMISES, for concurrence.

Upon motion of Senator Snow, the Senate concurs in the House Committee Substitute bill No. 2, (49-0) and the bill is ordered enrolled and sent to the Governor.

**S.B. 388** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN GRANTS MADE UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT FROM THE DEFINITION OF PUBLIC FUNDS FOR WHICH A CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY IS NOT AVAILABLE, for concurrence.

Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled and sent to the Governor.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 1209**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A LOCAL GOVERNMENT THAT COMPETES WITH PRIVATE COMPANIES IN PROVIDING COMMUNICATION SERVICES HAS THE SUPPORT OF

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ITS CITIZENS IN FINANCING THOSE SERVICES AND TO CONTINUE THE REVENUE LAWS STUDY COMMITTEE'S REVIEW OF THE TAX AND ECONOMIC DEVELOPMENT IMPACTS OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION 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 55616, which changes the title to read **S.B. 1209** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS AND TO TEMPORARILY LIMIT THE FINANCING OPTIONS FOR THESE SYSTEMS, is adopted and engrossed.

### **ENROLLED BILLS AND RESOLUTIONS**

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

**H.B. 1707.** A BILL TO BE ENTITLED AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM.

Upon motion of Senator Basnight, seconded by Senator Kinnaird, the Senate adjourns at 3:32 P.M. to meet Thursday, June 3, at 11:00 A.M.

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### **ONE HUNDRED AND TWENTY-SIXTH DAY**

Senate Chamber  
Thursday, June 3, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Prayer is offered by The Honorable Steve Goss as follows:

"God you have taught us the things of the heart, ideals that go far beyond what words can often acknowledge. As we go about the people's business in North Carolina may we never fail to acknowledge your presence. Your

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encouragement and your voice from within, Lord, are truly key to who we are as your children. As we acknowledge that voice from within, your words will come alive and we shall know the truth and the truth shall set us free. Amen."

The Chair grants leaves of absence for today to Senator Albertson, Senator Boseman, Senator Garrou, and Senator Graham.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, 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 Mary Holtschneider from Durham, 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. 140**, AN ACT TO MAKE IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES, AND TO LIMIT THE LIABILITY OF DOMESTIC VIOLENCE SHELTERS FOR TORTIOUS CONDUCT COMMITTED ON SHELTER PREMISES.

**S.B. 388**, AN ACT TO REMOVE CERTAIN GRANTS MADE UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT FROM THE DEFINITION OF PUBLIC FUNDS FOR WHICH A CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY IS NOT AVAILABLE.

**H.B. 1251**, AN ACT DESIGNATING THE COLONIAL SPANISH MUSTANG AS THE OFFICIAL HORSE OF THE STATE OF NORTH CAROLINA.

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. 1940**, A JOINT RESOLUTION EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.  
(Res. 4)

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Purcell for the **Health Care Committee**:

**S.B. 1191**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, 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 75397, is adopted and engrossed.

**S.B. 1193**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, 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 55615, is adopted and engrossed.

**S.B. 1286**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE WAYS TO IMPLEMENT BODY MASS INDEX SCREENING FOR CERTAIN CHILDREN WHO ARE AT RISK OF BECOMING OBESE AND TO REDUCE BODY MASS INDEX LEVELS FOR ALL CHILDREN, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75396, which changes the title to read **S.B. 1286** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE WAYS TO IMPLEMENT BODY MASS INDEX SCREENING FOR CHILDREN WHO ARE ENROLLED IN MEDICAID OR ARE PARTICIPATING IN NORTH CAROLINA HEALTH CHOICE FOR CHILDREN PROGRAM AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, is adopted and engrossed.

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**H.B. 144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, IN COLLABORATION WITH THE DIVISION OF MEDICAL ASSISTANCE, DIVISION OF AGING AND ADULT SERVICES, THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL AND EAST CAROLINA UNIVERSITY SCHOOLS OF DENTISTRY, THE NORTH CAROLINA DENTAL SOCIETY, AND CURRENT SPECIAL CARE DENTAL PROVIDERS, TO EXAMINE DENTAL CARE OPTIONS FOR SPECIAL CARE POPULATIONS, 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 50928, which changes the title upon concurrence to read **H.B. 144** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST, is adopted and engrossed.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE CONDITIONS OF PROBATION, referred to the **Judiciary II Committee** on May 12.

Pursuant to Rule 47(a), Senator Hoyle 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**.

**H.B. 620**, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CORRECTIONS RELATED TO THE REPEALED STALKING STATUTE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, referred to the **Judiciary I Committee** on April 8, 2009.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Judiciary I Committee** and re-refers the measure to the **Judiciary II Committee**.

#### CALENDAR

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

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE

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COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 8.

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 8.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 1414**, A BILL TO BE ENTITLED AN ACT TO ASSIST SMALL BUSINESSES, referred to the **Finance Committee** on May 26.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the 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 bill withdrawn from the **Finance Committee** and re-refers the measure to the **Appropriations/Base Budget Committee**.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.J.R. 2038**, A JOINT RESOLUTION RECOGNIZING CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK.

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

**H.J.R. 2051**, A JOINT RESOLUTION HONORING THE CENTENNIAL OBSERVANCE OF LITTLE SWITZERLAND.

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

*The Chair grants a leave of absence for the remainder of today's session to Senator Kinnaird.*

#### CALENDAR *(continued)*

**S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon second reading.

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The bill passes its second reading, by roll-call vote, ayes 39, noes 5, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Nesbitt, Preston, Purcell, Queen, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---39.

Voting in the negative: Senators Brock, East, Forrester, Rouzer and Rucho---5.

The bill remains on the Calendar for Monday, June 7, upon third reading.

**S.B. 1331**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1378** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE JOBS AND MAKE NORTH CAROLINA MORE COMPETITIVE GLOBALLY BY FINANCING THE BUILDING OF ENGINEERING EDUCATION FACILITIES, THE ENHANCEMENT AND REPAIR OF STATE ASSETS AND COMMUNITY COLLEGE ASSETS, AND INVESTMENT IN RESEARCH AND JOB TRAINING EQUIPMENT AT UNIVERSITIES AND COMMUNITY COLLEGES, as amended on second reading, upon third reading.

Senator Berger of Rockingham offers Amendment No. 4.

The President rules Amendment No. 4 is out of order.

Senator Berger of Rockingham appeals the ruling of the chair and calls for the ayes and the noes.

The motion to appeal the ruling is overruled (20-24) as follows:

Voting in the affirmative: Senators Allran, Apodaca, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hartsell, Hunt, Jacumin, Preston, Rouzer, Rucho, Stevens and Tillman---20.

Voting in the negative: Senators Atwater, Basnight, Berger of Franklin, Blue, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Goss, Hoyle, Jenkins, Jones, Nesbitt, Purcell, Queen, Shaw, Snow, Soles, Stein, Swindell, Vaughan and Walters---24.

The Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 27, noes 17, as follows:

Voting in the affirmative: Senators Allran, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Goss, Hartsell, Hoyle, Jenkins, Jones, Nesbitt, Purcell, Queen, Shaw, Soles, Stein, Stevens, Swindell, Vaughan and Walters---27.

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Voting in the negative: Senators Apodaca, Berger of Rockingham, Blake, Brock, Brown, Brunstetter, Clary, East, Forrester, Goodall, Hunt, Jacumin, Preston, Rouzer, Rucho, Snow and Tillman---17.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

**S.B. 1141**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON SPORTS INJURIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1209** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS AND TO TEMPORARILY LIMIT THE FINANCING OPTIONS FOR THESE SYSTEMS.

Senator Hoyle offers Amendment No. 1 which is adopted (42-2).

The Committee Substitute bill, as amended, passes its second reading (40-4).

Senator Queen objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, June 7, upon third reading.

**S.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, AND TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE.

The bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS.

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The Committee Substitute bill passes its second reading (44-0).

Senator Berger of Rockingham objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Monday, June 7, upon third reading.

**H.B. 636** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading 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 Hoyle.*

**S.B. 1337** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS (USTS) IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Committee Substitute bill passes its third reading (36-7) and is ordered sent to the House of Representatives.

#### **ADDITIONAL SPONSOR**

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

**S.B. 1141**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON SPORTS INJURIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Upon motion of Senator Basnight, seconded by Senator Walters, the Senate adjourns at 12:27 P.M. to meet Monday, June 7, at 7:00 P.M.

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**ONE HUNDRED AND TWENTY-SEVENTH DAY**

Senate Chamber  
Monday, June 7, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, more people called or came by church today than I could possibly help. Our limited financial ministry resources gave out last week. I'm sure the Members of the Senate know how that feels. The wounds of this world are too deep and too many for us to heal them all. Even after our best efforts, sometimes we have to bring difficult problems and the people whom they affect to you and ask you to look after them. And yet, our Father, never let our prayers excuse us from paying the price of compassion. Make us generous with the resources we do have, time, listening, and concern. So let your work be done in and through us wherever possible this week. In your holy name we pray, Amen."

The Chair grants leaves of absence for tonight to Senator Garrou and Senator Graham.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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 Nansi Greger-Holt from Pittsboro, North Carolina, who is serving the Senate as Nurse of the Day.*

**CHAPTERED BILLS AND RESOLUTIONS**

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. 589**, AN ACT TO REQUIRE HEALTH BENEFIT PLANS AND THE STATE HEALTH PLAN TO COVER HEARING AIDS AND REPLACEMENT HEARING AIDS. (Became law upon approval of the Governor, June 7, 2010 - S.L. 2010-2.)

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

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**S.B. 1164**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF WAYS TO ENSURE THAT THE GENERAL STATUTES PROPERLY AND UNIFORMLY REFER TO FEDERAL AND STATE MILITARY ORGANIZATIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

**S.B. 1130**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35462, is adopted and engrossed.

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

The following message is received from the House of Representatives:

**S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TRANSFER FEE COVENANTS DO NOT RUN WITH THE TITLE TO REAL PROPERTY AND ARE NOT BINDING ON OR ENFORCEABLE AGAINST ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE, for concurrence in the House Committee Substitute bill.

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:

**S.B. 897** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Hoyle, the House Committee Substitute bill No. 2 is placed on tonight's Calendar as the first order of business.

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**MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

The following message is received from the House of Representatives:

**H.B. 1864**, A BILL TO BE ENTITLED AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION.

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

**CALENDAR**

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

**H.B. 144** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST.

Upon motion of Senator Purcell, the Senate Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Health Care Committee**.

**S.B. 897** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, placed earlier on tonight's Calendar for concurrence.

Upon motion of Senator Swindell, the Senate fails to concur in the House Committee Substitute bill No. 2 by roll-call vote, ayes 0, noes 48, as follows:

Voting in the affirmative are: None.

Voting in the negative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Senator Swindell offers a motion that the Senate appoint conferees, which motion prevails.

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**S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, upon third reading.

The bill passes its third 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, Blake, Blue, Boseman, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: Senators Brock, East, Forrester, Rouzer and Rucho---5.

The bill is ordered sent to the House of Representatives.

**S.B. 1191** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Senator Swindell offers Amendment No. 1 which is adopted (48-0).

The Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

**S.B. 1193** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1286** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE WAYS TO IMPLEMENT BODY MASS INDEX SCREENING FOR CHILDREN WHO ARE ENROLLED IN MEDICAID OR ARE PARTICIPATING IN NORTH CAROLINA HEALTH CHOICE FOR CHILDREN PROGRAM AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1209** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS AND TO TEMPORARILY LIMIT THE FINANCING OPTIONS FOR THESE SYSTEMS, as amended on second reading, upon third reading.

Senator Queen offers Amendment No. 2.

Senator Hoyle offers Amendment No. 3 as a Substitute Amendment for Amendment No. 2, which is adopted (33-15).

Senator Atwater offers Amendment No. 4 which he subsequently withdraws.

The Committee Substitute bill, as amended, passes its third reading (41-7) and is ordered engrossed and sent to the House of Representatives.

**S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS.

Senator Berger of Rockingham offers Amendment No. 1.

Senator Swindell offers a motion to withdraw the Committee Substitute bill with Amendment No. 1 pending from tonight's Calendar and re-refer it to the Appropriations/Base Budget Committee. Upon objection by Senator Berger of Rockingham, an electronic vote is taken and the motion prevails (27-21).

The Committee Substitute bill is withdrawn from tonight's Calendar and is re-referred to the Appropriations/Base Budget Committee with Amendment No. 1 pending.

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

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

**H.J.R. 1722**, A JOINT RESOLUTION HONORING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF PITT COUNTY.

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

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

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Upon motion of Senator Davis and Senator Jenkins the President extends the courtesies of the gallery to the following Pitt County Commissioners and staff: Kenneth Ross, Chairman; Tom Johnson, Sr., Commissioner; Ephraigm Smith, Commissioner; Melvin McLawhorn, Commissioner; Beth Ward, Commissioner; Scott Elliott, County Manager; Melonie Bryan, Deputy County Manager/Chief Financial Officer and Janis Gallagher, County Attorney.

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

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

**H.J.R. 1678**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT J. "BOB" HENSLEY, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

The joint resolution passes its second reading (46-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

Upon motion of Senator Blue the President extends the courtesies of the gallery to family and friends of Bob Hensley: Pat Hensley, his wife; sons: Chris Hensley, Rob Hensley and his wife, Kara, and Preston and his fiancé, Gina; brothers: Jerry Hensley and his wife, Sharon; sisters: Sarah Connor, Debra Hensley and her husband, Tom, Shirley Walker and her husband, David; and friends Kenneth Wilkins and Peg O'Connell (Jim Long's wife).

### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 897** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill No. 2 for S.B. 897 earlier tonight and the motion by Senator Swindell to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Albertson, Senator Dannelly, Senator Garrou, and Senator Swindell, Co-Chairs; and Members Senator Atwater; Senator Basnight; Senator Berger of Franklin;

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Senator Bingham; Senator Blue; Senator Boseman; Senator Clodfelter; Senator Davis; Senator Dickson; Senator Dorsett; Senator Foriest; Senator Goss; Senator Graham; Senator Hartsell; Senator Hoyle; Senator Jenkins; Senator Jones; Senator Kinnaird; Senator McKissick; Senator Nesbitt; Senator Purcell; Senator Queen; Senator Shaw; Senator Snow; Senator Soles; Senator Stein; Senator Stevens; Senator Vaughan; and Senator Walters 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:

Andres Ainolhayat, Fayetteville; Andrew Allen, Raleigh; Shelby Andrews, Whitsett; Faith Bauer, Durham; Kasey Briggs, Raleigh; Caroline Browning, Raleigh; Miller Clark, Tarboro; Mitchell Cook, Raleigh; Brennan Cumalander, Cary; Kenslee Daughtridge, Rocky Mount; Carson Easter, Julian; Alex Finley, Raleigh; Jake Froelich, Greensboro; Lauren Gosse, Raleigh; Alisha Gumber, Cary; Damon Hall, Jr., Manteo; Charlie Hirsch, Raleigh; Sara Worth Hodges, Rocky Mount; Jennifer Isaza, Rocky Mount; Sydney Kalin, Cary; Elizabeth Lane, Rocky Mount; Emma Park, Rocky Mount; Regina Parker, Chapel Hill; Olivia Roberson, Rocky Mount; Mary Willoughby Romm, Currituck; Toni Selby, Manteo; Rycal Simmons-Blount, Greensboro; Eliza Stoughton, Greenville; Emoni Tedder, Durham; Parker Troutman, Raleigh; Gina Wall, Goldsboro; Michael Wohlers, Raleigh and Robert Wright, Raleigh.

Upon motion of Senator Basnight, seconded by Senator Brown, the Senate adjourns at 8:19 P.M. to meet Tuesday, June 8, at 3:00 P.M.

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### ONE HUNDRED AND TWENTY-EIGHTH DAY

Senate Chamber  
Tuesday, June 8, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, each day we face decisions about our actions, questioning whether they are right or wrong. Thomas Jefferson said, 'When tempted to do anything in secret, ask yourself if you would do it in public; if you would not, be sure it is wrong.' Baptist preacher and humorist, the late Jerry Clower, had this to say to a group of young people about the same age as our pages. 'If you have

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to ask other people. If you argue with yourself. If you feel uneasy and if you can't say, Lord I thank you for providing this to me, you better watch out. You're fixing to mess up.' Both Jefferson's and Clower's responses, about determining right from wrong, find basis in Holy Scripture. Help us to remember their words when we need to. Amen."

The Chair grants leaves of absence for today to Senator Boseman and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 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 Melissa Aselage from Wilmington, 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:

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Snow, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 16.

**S.B. 1130** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce Committee**:

**S.B. 1216**, A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES 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 35464, is adopted and engrossed.

Upon motion of Senator Soles, the Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Jones for the **State & Local Government Committee**:

**S.B. 1263**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK, with a favorable report.

**S.B. 1361**, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO, with a favorable report.

**S.B. 1399**, A BILL TO BE ENTITLED AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY, with a favorable report.

**S.B. 1415**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

**S.B. 1435**, A BILL TO BE ENTITLED AN ACT RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM, with a favorable report.

**S.B. 1437**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ANNUAL ELECTION OF A MAYOR PRO TEMPORE BY THE HIGHLANDS TOWN BOARD, with a favorable report.

**S.B. 1421**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED

June 8, 2010

PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65075, is adopted and engrossed.

**S.B. 1438**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO ALLOW FOR MEMBERS OF THE ABC BOARD TO SERVE AT THE PLEASURE OF THE BOARD OF COUNTY 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 15408, which changes the title to read **S.B. 1438** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO AUTHORIZE THE COUNTY COMMISSIONERS TO FILL VACANCIES ON THE ABC BOARD AND TO REMOVE ITS MEMBERS FOR CAUSE, is adopted and engrossed.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 620**, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CORRECTIONS RELATED TO THE REPEALED STALKING STATUTE, 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 30510, which changes the title to read **H.B. 620** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT, is adopted and engrossed.

**S.B. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, with an unfavorable report as to concurrence.

*The Chair grants a leave of absence for the remainder of today's session to Senator Queen.*

#### **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:

June 8, 2010

**H.J.R. 1678**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBERT J. "BOB" HENSLEY, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 5)

**H.J.R. 1722**, A JOINT RESOLUTION HONORING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF PITT COUNTY. (Res. 6)

### CHAPTERED BILLS AND RESOLUTIONS

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. 1707**, AN ACT (1) TO ALLOW ALREADY ENROLLED DEPENDENT CHILDREN UNDER THE AGE OF TWENTY-SIX WHO ARE NOT ELIGIBLE FOR EMPLOYER-BASED HEALTH CARE TO REMAIN ON THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES FOR PLAN YEAR 2010-2011 AND (2) TO DIRECT THE STATE HEALTH PLAN TO CONSULT WITH THE COMMITTEE ON HOSPITAL AND MEDICAL BENEFITS BEFORE IMPLEMENTING ANY TOBACCO USE TESTING PROGRAM. (Became law upon approval of the Governor, June 7, 2010 - S.L. 2010-3.)

**S.B. 388**, AN ACT TO REMOVE CERTAIN GRANTS MADE UNDER THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT FROM THE DEFINITION OF PUBLIC FUNDS FOR WHICH A CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY IS NOT AVAILABLE. (Became law upon approval of the Governor, June 7, 2010 - S.L. 2010-4.)

**S.B. 140**, AN ACT TO MAKE IT A FELONY FOR A PERSON WHO IS THE SUBJECT OF A VALID PROTECTIVE ORDER TO TRESPASS ON PROPERTY WHERE THE PROTECTED PARTY RESIDES AND THAT IS OPERATED AS A SAFE HOUSE OR HAVEN FOR DOMESTIC VIOLENCE VICTIMS WITHOUT REGARD AS TO WHETHER THE PERSON COVERED BY THE PROTECTIVE ORDER IS PRESENT ON THE PREMISES, AND TO LIMIT THE LIABILITY OF DOMESTIC VIOLENCE SHELTERS FOR TORTIOUS CONDUCT COMMITTED ON SHELTER PREMISES. (Became law upon approval of the Governor, June 7, 2010 - S.L. 2010-5.)

**H.B. 1251**, AN ACT DESIGNATING THE COLONIAL SPANISH MUSTANG AS THE OFFICIAL HORSE OF THE STATE OF NORTH CAROLINA. (Became law upon approval of the Governor, June 7, 2010 - S.L. 2010-6.)

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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  
June 7, 2010

Mr. 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. 530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE, and requests conferees.

Speaker Hackney has appointed:

Representative Gibson, Chair  
Representative Holliman,  
Representative Wainwright,  
Representative Jones,  
Representative Luebke,  
Representative Hall,  
Representative Rhyne,  
Representative McGee, and  
Representative McComas

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  
June 7, 2010

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute No. 2 for **S.B. 897**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL

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IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, and requests conferees, Speaker Hackney appoints:

**Chairs**

Michaux  
Adams  
M. Alexander  
Crawford  
Haire  
Jeffus  
Tolson  
Yongue  
Luebke  
Gibson  
Wainwright  
Weiss  
Holliman  
Owens

**Appropriations Subcommittee on Capital**

Goforth, Owens, Womble  
Holliman  
Ross  
Wainwright  
Grady

**Appropriations Subcommittee on Education**

Glazier, Rapp, McLawhorn  
Bell  
Lucas  
Parmon  
Tarleton  
Wiley

**Appropriations Subcommittee on General Government**

Fisher, Underhill  
Tucker  
Whilden  
Floyd  
Steen

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**Appropriations Subcommittee on Health and Human Services**

Earle, England, Insko  
Farmer-Butterfield  
Brisson  
Stewart  
Weiss  
Barnhart

**Appropriations Subcommittee on Justice and Public Safety**

Bordsen, Love  
Spear  
Sutton  
R. Warren  
Goodwin  
Jackson  
Mobley  
Justus

**Appropriations Subcommittee on Natural and Economic Resources**

Harrison, Pierce, E. Warren  
Wilkins  
Wray  
Bryant  
Langdon

**Appropriations Subcommittee on Transportation**

Cole, Martin  
Coates  
Gill  
Heagarty  
May  
Parfitt  
Williams  
Dockham

**Finance**

Luebke, Gibson, Wainwright, Weiss  
Hill  
Holliman  
Womble  
K. Alexander  
Braxton  
Carney  
Cotham  
Faison  
Hall

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Hughes  
Owens  
Ross  
Howard  
McComas  
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

### RECONSIDERATION

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

Having voted with the majority, Senator Hoyle offers a motion that the vote by which the Committee Substitute bill passed its third reading earlier today be reconsidered, which motion prevails (47-0).

The question before the Body is the passage of S.B. 1359 on its third reading.

Upon motion of Senator Hoyle, the Committee Substitute bill is withdrawn from today's Calendar and re-referred to the **Education/Higher Education Committee**.

### CALENDAR *(continued)*

**S.B. 1164**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF WAYS TO ENSURE THAT THE GENERAL STATUTES PROPERLY AND UNIFORMLY REFER TO FEDERAL AND STATE MILITARY ORGANIZATIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

### WITHDRAWAL FROM COMMITTEE

**H.B. 455**, A BILL TO BE ENTITLED AN ACT DESIGNATING KIDNEY MONTH IN NORTH CAROLINA, referred to the **Rules and Operations of the Senate Committee** on May 7, 2009.

June 8, 2010

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance 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 **Finance Committee**.

Upon motion of Senator Basnight, seconded by Senator Jones, the Senate adjourns at 3:18 P.M. to meet Wednesday, June 9, at 3:00 P.M.

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### ONE HUNDRED AND TWENTY-NINTH DAY

Senate Chamber  
Wednesday, June 9, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, I ask that you give the Senators faith to believe it's possible for them to live as beacons of hope in our State and in a world experiencing such difficult times. Help them to believe that there is something better than patient endurance or keeping a stiff upper lip. You've called them to lead us. So let them embrace that call with your ever-present strength and a quiet confidence that such a display of hope will be contagious to the rest of us. We can't ask more of them than that. Amen."

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 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 Karen Moore from Pembroke, North Carolina, who is serving the Senate as Nurse of the Day.*

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**H.B. 1694**, A BILL TO BE ENTITLED AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL

June 9, 2010

HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Senator Brown:

**S.J.R. 1452**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MAKE SYNTHETIC CANNABINOIDS ILLEGAL.

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

By Senators Purcell; and Soles:

**S.J.R. 1453**, A JOINT RESOLUTION HONORING THE PUBLIC SERVICE OF HOYT PATRICK TAYLOR, SR. AND HOYT PATRICK TAYLOR, JR.

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. 1669**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE SYSTEM TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

Referred to the **State & Local Government Committee** and upon a favorable report, re-referred to the **Finance Committee**.

### WITHDRAWAL FROM COMMITTEE

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE

June 9, 2010

DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM, re-referred to the **Education/Higher Education Committee** on June 8.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill be withdrawn from the **Education/Higher Education Committee** and placed before the Senate for immediate consideration, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Education/Higher Education Committee** and places it before the Senate for immediate consideration.

### RECONSIDERATION

**S.B. 1359** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

Having voted with the majority, Senator Hoyle offers a motion that the vote by which the Committee Substitute bill passed its second reading on June 8 be reconsidered, which motion prevails (49-0).

The question before the Body becomes the passage of the Committee Substitute bill on its second reading.

The Committee Substitute bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

### CALENDAR

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

**S.B. 1361**, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO, upon second reading.

The bill passes its second 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---50.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, June 10, upon third reading.

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**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Foriest for the **Education/Higher Education Committee**:

**S.B. 1118**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF PAYMENTS MADE BY MULTIPLE PUBLIC AND PRIVATE AGENCIES TO EARLY CHILD CARE AND EDUCATION PROVIDERS AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CHILD CARE, with a favorable report.

Upon motion of Senator Foriest, the bill is re-referred to the **Appropriations/Base Budget Committee**.

**S.B. 1323**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID, with a favorable report.

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

**S.B. 1117**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CONSOLIDATED ANNUAL REPORT FOR VARIOUS EARLY CARE AND EDUCATION PROGRAMS AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85362, is adopted and engrossed.

By Senator Shaw for the **Transportation Committee**:

**S.B. 1214**, A BILL TO BE ENTITLED AN ACT TO MAKE CORRESPONDING CHANGES TO THE MOTOR VEHICLES LAWS TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION, TO REQUIRE DECLARED REGISTRATION LICENSE WEIGHT TO BE FOR THE MAXIMUM WEIGHT FOR ALL VEHICLES THAT ARE PROVIDED EXEMPTIONS

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UNDER G.S. 20-118, AND TO MODIFY THE STATUTE OF LIMITATION FOR CIVIL SUITS RELATED TO UNCOLLECTED CIVIL FINES THAT HAVE BEEN ASSESSED AND REMAIN OWED TO THE STATE CIVIL FINES AND FORFEITURES FUND, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

**S.B. 1136**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, 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 75398, is adopted and engrossed.

**CALENDAR** (*continued*)

**S.B. 1263**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK.

The bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1399**, A BILL TO BE ENTITLED AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY.

The bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1421** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE.

The Committee Substitute bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1435**, A BILL TO BE ENTITLED AN ACT RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM.

The bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1437**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ANNUAL ELECTION OF A MAYOR PRO TEMPORE BY THE HIGHLANDS TOWN BOARD.

June 9, 2010

The bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1438** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO AUTHORIZE THE COUNTY COMMISSIONERS TO FILL VACANCIES ON THE ABC BOARD AND TO REMOVE ITS MEMBERS FOR CAUSE.

The Committee Substitute bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

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

**S.B. 1154**, 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 AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

**S.B. 1176**, A BILL TO BE ENTITLED AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS, with a favorable report.

### CALENDAR *(continued)*

**H.B. 620** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT.

The Senate Committee Substitute bill passes its second reading (50-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**S.B. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, for concurrence.

June 9, 2010

Upon motion of Senator Hartsell, the Senate fails to concur in the House Committee Substitute bill (0-50).

Senator Hartsell offers a motion that the Senate appoint conferees, which motion prevails.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE.

Pursuant to the message from the House of Representatives received May 12 that the House fails to concur in the Senate Committee Substitute bill for H.B. 530 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hoyle, Chair; Senator Clodfelter; Senator Jenkins; Senator Stevens; and Senator Walters 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. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 567 earlier today and the motion by Senator Hartsell to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hartsell, Chair; Senator Bingham; Senator Blue; Senator Queen; and Senator Stein 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 ADDITIONAL CONFEREE**

**H.B. 530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE.

Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Blue 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.

June 9, 2010



**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 1869**, A JOINT RESOLUTION HONORING THE RANDOLPH COUNTY VETERANS HONOR GUARD.

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

The joint resolution passes its second reading (49-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

Upon motion of Senator Tillman the Chair extends the courtesies of the gallery to members of the Randolph County Veterans Honor Guard and guests.

Upon motion of Senator Basnight, seconded by Senator Vaughan, the Senate adjourns subject to receipt of committee reports, to meet Thursday, June 10, at 11:00 A.M.

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE 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 15410, is adopted and engrossed.

**S.B. 1216** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES 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, 85363, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:31 P.M.

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June 9, 2010

**ONE HUNDRED AND THIRTIETH DAY**

Senate Chamber  
Thursday, June 10, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Prayer is offered by The Reverend Dr. Byron A. Wade, Davie Street Presbyterian Church, Raleigh, North Carolina as follows:

"O God of our lives, we thank you for allowing us to have life, breath, and strength. As this Session of the Senate convenes today, we are aware of the many issues that we face both nationally and locally. Today we ask you to give us strength to do your will. May you give us guidance in our deliberations that we will put aside our own differences and work together for those citizens of our State who are in desperate need of your help. Help us today to be effective public servants and that all we do will be pleasing in your sight. Amen."

The Chair grants leaves of absence for today to Senator Albertson, Senator Clary, Senator Graham, and Senator Tillman.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Wednesday, 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 Mary Holtschneider 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 resolution duly ratified, properly enrolled, and presented to the Office of the Secretary of State:

**H.J.R. 1869**, A JOINT RESOLUTION HONORING THE RANDOLPH COUNTY VETERANS HONOR GUARD. (Res. 7)

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Bingham for the **Health Care Committee**:

**H.B. 382** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF EMERGENCY MANAGEMENT

June 10, 2010

TO ESTABLISH A VOLUNTARY MODEL REGISTRY FOR USE BY COUNTIES AND MUNICIPALITIES IN IDENTIFYING FUNCTIONALLY AND MEDICALLY FRAGILE PERSONS IN NEED OF ASSISTANCE DURING A DISASTER; AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPERATE SIMILAR REGISTRIES, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, 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 80630, which changes the title upon concurrence to read **H.B. 382** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE HEALTH CHOICE PROGRAM REVIEW PROCESS TO CONTINUE THE CURRENT REVIEW PROCESS FOR PROGRAM APPLICANTS AND RECIPIENTS APPEALING ENROLLMENT AND ELIGIBILITY DECISIONS, AND CREATE A REVIEW PROCESS FOR PROGRAM RECIPIENTS TO APPEAL HEALTH SERVICES DECISIONS, AND TO ADD THE HEALTH SERVICES REVIEW PROCESS TO THE AGENCIES AND PROCEEDINGS CURRENTLY EXEMPTED FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT, is adopted and engrossed.

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 1445**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, AND CREATING THE WAYNE AIRPORT AUTHORITY, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

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

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

House of Representatives  
June 9, 2010

Mr. 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. 1260**, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW WITH FEDERAL LAW REGARDING DISENTITLEMENT TO

June 10, 2010

PURCHASE, OWN, POSSESS, OR CONTROL A FIREARM AFTER THE FELONY CONVICTION OF CERTAIN WHITE COLLAR CRIMINAL OFFENSES, and requests conferees.

Speaker Hackney has appointed:

Representative Haire, Chair,  
Representative Sutton,  
Representative Love,  
Representative Jackson,  
Representative Stam, and  
Representative Randleman

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.B. 1676**, A BILL TO BE ENTITLED AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

**H.B. 1692** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE, AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

**H.B. 1693**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

June 10, 2010

**H.B. 1703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT DAY CARE PROGRAMS AND ADULT DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Judiciary I Committee**.

**H.B. 1710** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

**H.B. 1744** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT PRACTICABLE FOR THE PROJECT TO PURSUE REGIONALIZATION BASED ON TOPOGRAPHY OR OTHER FACTORS SHALL BE GIVEN THE SAME PRIORITY FOR REGIONALIZATION AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.B. 1829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MILL REHABILITATION CREDIT; TO MAKE CHANGES TO THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY; TO ESTABLISH A CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY; TO LOWER THE SALES TAX COMPLIANCE BURDEN ON SMALL RETAILERS; TO RELIEVE THE ANNUAL REPORT COMPLIANCE BURDEN ON SMALL BUSINESS;

June 10, 2010

TO REDUCE THE FRANCHISE TAX BURDEN ON CONSTRUCTION COMPANIES; AND TO IMPROVE THE TAX AND DEBT COLLECTION PROCESS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.

Referred to the **Finance Committee**.

### CALENDAR

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

**S.B. 1361**, A BILL TO BE ENTITLED AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---46.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**S.B. 1362** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, 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 Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---46.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, June 14, upon third reading.

**S.B. 1154**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS

June 10, 2010

PROJECTS OF THE CONSTITUENT INSTITUTIONS AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---46.

Voting in the negative: None.

The bill remains on the Calendar for Monday, June 14, upon third reading.

**S.B. 1117** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CONSOLIDATED ANNUAL REPORT FOR VARIOUS EARLY CARE AND EDUCATION PROGRAMS AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1136** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1176**, A BILL TO BE ENTITLED AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS.

Senator Clodfelter offers Amendment No. 1 which is adopted (46-0).

The bill, as amended, passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

**S.B. 1216** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT.

The Committee Substitute bill No. 2 passes its second reading (44-2) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

June 10, 2010

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

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

**S.B. 1323**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID.

The bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1694**, A BILL TO BE ENTITLED AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

Upon motion of Senator Basnight, seconded by Senator Goss, the Senate adjourns at 11:36 A.M. to meet Monday, June 14, at 7:00 P.M.

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### ONE HUNDRED AND THIRTY-FIRST DAY

Senate Chamber  
Monday, June 14, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, early founders of the Nation on this day in 1777 adopted a flag to symbolize their solidarity in defense and in belief of a new type of Republic. Lord, may this flag before which we stand each day in the Senate be a mirror of these Members and a sign of promise to others that equal justice under governing law assures progressive victory over egoism and evil, both in times of

June 14, 2010



prosperity and adversity. In the United States we are many people of cultural diversity, yet we are one Nation under God as promise of what others in this world might become. Continue to guide and bless our efforts, O God. In your holy name we pray, Amen."

### PLEDGE OF ALLEGIANCE

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

The Chair grants leaves of absence for tonight to Senator Berger of Rockingham, Senator Boseman, Senator Clary, and Senator Rucho.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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 Stephanie Jenkins from Pinehurst, 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:

**H.B. 636**, AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER.

**H.B. 1694**, AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
June 10, 2010

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 567**, A BILL TO BE ENTITLED AN

June 14, 2010

ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, and requests conferees, Speaker Hackney appoints:

Representative Glazier, Chair,  
Representative Hurley,  
Representative Spear, 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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**H.B. 1673** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES.

Referred to the **Finance Committee**.

**H.B. 1682** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION.

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

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATAUGA COUNTY TO CONDUCT A REFERENDUM TO OPT OUT OF SUNDAY BOW HUNTING.

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

**H.B. 1698** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

June 14, 2010

**H.B. 1705** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

Referred to the **Health Care Committee**.

**H.B. 1714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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

**H.B. 1716**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HAMLET TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

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

**H.B. 1734** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

**H.B. 1736** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF

June 14, 2010

NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES.

Referred to the **Finance Committee**.

**H.B. 1743** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.B. 1934** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM.

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

**H.B. 1935** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING FOR BENEFITS AND TO ADD A STIPEND FOR MINOR CHILDREN UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY.

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

**H.B. 1956**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORM OF GOVERNMENT FOR THE TOWN OF MARSHVILLE FROM MAYOR-COUNCIL TO COUNCIL-MANAGER.

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

**H.B. 2042** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND.

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

### CALENDAR

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

**S.B. 1362** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND

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ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, 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, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1154**, 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 AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA, upon third reading.

The 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, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

**H.B. 382** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE HEALTH CHOICE PROGRAM REVIEW PROCESS TO CONTINUE THE CURRENT REVIEW PROCESS FOR PROGRAM APPLICANTS AND RECIPIENTS APPEALING ENROLLMENT AND ELIGIBILITY DECISIONS, AND CREATE A REVIEW PROCESS FOR PROGRAM RECIPIENTS TO APPEAL HEALTH SERVICES DECISIONS, AND TO ADD THE HEALTH SERVICES REVIEW PROCESS TO THE AGENCIES AND PROCEEDINGS CURRENTLY EXEMPTED FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT.

The Senate Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

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**WITHDRAWAL FROM COMMITTEE**

**S.J.R. 1300**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR W. WILLIAMSON, FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on May 20.

Pursuant to Rule 47(a), Senator Hoyle 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, June 16, 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, June 16.

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, referred to the **State & Local Government Committee** on June 9.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **State & Local Government Committee** and re-referred to the **Pensions & Retirement and Aging Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **State & Local Government Committee** and re-refers the measure to the **Pensions & Retirement and Aging Committee**.

**SENATE PAGES**

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

Esham Ahmed, Hickory; Julia Amend, Rocky Mount; Will Bass, Nashville; Quinn Burkhalter, Charlotte; Joe Calder, Cary; Chris Eley, Kernersville; Tegan George, Raleigh; Madison Gibbs, Greensboro; Ty Hamby, Cary; Tayloe Hill III, Winterville; Katie Honaker, Raleigh; Benjamin Horne, Nashville; Jaye Hunt, Charlotte; Laurel Keefer, Raleigh; Thomas Keshian, Winston-Salem; Miles Leathers, Charlotte; Tommy Lucioni, Rancho Palos Verdes, California; Chichi Orji, Morrisville; Brandon Patton, Youngsville; Rachael Payne, Burlington; Nalini Peres-Da-Silva, Carrboro; Will Purcell, Raleigh; John Purcell, Cary; Brett Roberts, Winston-Salem; Carson Rosser, Raleigh; Steven Sauer, Summerfield; Jake Semon, Greensboro; Katherine Sipes, Greensboro; James Springs, Jr., Charlotte; John Stanley, Nashville; Zachery Thomas, Garner; Alexander Ventriglia, Wilmington; Elizabeth Wallace, Raleigh; Alex Warren, Raleigh; Bailey Warren, Raleigh; Harrison Wicker, Sanford and Rachel Wordsworth, Rocky Mount.

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Upon motion of Senator Basnight, seconded by Senator Albertson, the Senate adjourns at 7:22 P.M. subject to receipt of messages from the House of Representatives, to meet Tuesday, June 15, at 3:00 P.M.

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## ONE HUNDRED AND THIRTY-SECOND DAY

Senate Chamber  
Tuesday, June 15, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, some of the watershed experiences of our lives do not seem impressive at the moment of happening. Only seasoning by years of living marks an even as important. For someone I know, his watershed moment began long ago sitting on a unpainted, kitchen stool talking with his mother. One day, speaking with her about God and Jesus, he asked where Lazarus had been when he was dead, you know, before Jesus brought him back to life. His mother gave him one of the greatest answers he had ever heard even to this day. 'Son,' she said, 'I don't know.' Admitting that there are things we don't know actually can increase our authority rather than diminish it. We actually like to learn from persons who don't know everything. Amen."

The Chair grants leaves of absence for today to Senator Boseman and Senator Clary.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 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 Karen Lemmons from Asheboro, 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. 766, AN ACT TO CLARIFY THE PROTECTION PROVIDED BY THE NORTH CAROLINA LIFE AND HEALTH INSURANCE GUARANTY**

June 15, 2010

ASSOCIATION AGAINST FAILURE IN THE PERFORMANCE OF CONTRACTUAL OBLIGATIONS UNDER ANNUITY CONTRACTS BECAUSE OF THE DELINQUENCY OF THE MEMBER INSURER THAT ISSUED THE POLICIES.

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. 1096**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHRISTOPHER DUFFY COLLINS. (Res. 8)

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 683**, A BILL TO BE ENTITLED AN ACT ESTABLISHING NORTH CAROLINA HOT SAUCE DAY, 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 30522, which changes the title upon concurrence to read **H.B. 683** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009, is adopted and engrossed.

**H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURTS TO SUPERVISE DEFENDANTS CONVICTED IN SUPERIOR COURT WHO ARE ASSIGNED TO DRUG TREATMENT COURTS OR PROBLEM-SOLVING COURTS, 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. 1076** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY, is adopted and engrossed. Upon adoption of the Senate Committee Substitute, the bill becomes a local bill.

**H.B. 466** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ROLE OF THE BOXING ADVISORY COMMISSION IN REGULATING BOXING AND OTHER RELATED ARTS, 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 30521, which changes the title upon concurrence to read **H.B. 466** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, AND TO AUTHORIZE SPECIFIED TELEPHONE COMPANY CUSTOMER SATISFACTION CALLS, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**S.B. 1259**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK, with a favorable report.

**H.B. 1710** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

**H.B. 1713**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

By Senator East for the **State & Local Government Committee**:

**S.B. 1121**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO DISPOSE OF CITY-OWNED REAL PROPERTY BY PUBLIC OR PRIVATE SALE AND TO LEASE CITY-OWNED REAL PROPERTY FOR SUCH TERMS AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35466, which changes the title to read **S.B. 1121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO LEASE CITY-OWNED REAL PROPERTY IN ITS MUNICIPAL SERVICE DISTRICTS, FOR SUCH CONSIDERATION, UPON SUCH TERMS, AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL, is adopted and engrossed.

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**S.B. 1386**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES MOVING BETWEEN STATE, CITY, AND COUNTY GOVERNMENT TO PORT THEIR SICK AND ANNUAL LEAVE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35467, which changes the title to read **S.B. 1386** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ALLOWING EMPLOYEES MOVING BETWEEN STATE, CITY, AND COUNTY GOVERNMENT TO PORT THEIR SICK AND ANNUAL LEAVE, is adopted and engrossed.

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 2051**, A JOINT RESOLUTION HONORING THE CENTENNIAL OBSERVANCE OF LITTLE SWITZERLAND, referred to the **Rules and Operations of the Senate Committee** on June 3.

Pursuant to Rule 47(a), Senator Hoyle 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, June 16, 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, June 16.

#### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1242**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN COURT COSTS APPLY FOR AMENDMENTS AND COUNTERCLAIMS IN CHAPTER 50B OF THE GENERAL STATUTES ACTIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, with a favorable report.

**S.B. 59** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AN ORDER FOR THE PAYMENT OF ATTORNEYS' FEES IN ACTIONS FOR ALIMONY OR POSTSEPARATION SUPPORT, with a favorable report as to concurrence.

**S.B. 254** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL, with a favorable report as to concurrence.

June 15, 2010

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE.

Referred to the **Finance Committee**.

**H.B. 1715**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MARINE FISHERIES COMMISSION TO ESTABLISH PERMITS FOR GEAR USED IN A FISHERY FOR WHICH OBSERVER COVERAGE IS REQUIRED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING.

Referred to the **Judiciary II Committee**.

**H.B. 2054** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

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

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1260** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW WITH FEDERAL LAW REGARDING DISENTITLEMENT TO PURCHASE, OWN, POSSESS, OR CONTROL A FIREARM AFTER THE FELONY CONVICTION OF CERTAIN WHITE COLLAR CRIMINAL OFFENSES.

Pursuant to the message from the House of Representatives received June 9 that the House fails to concur in the Senate Committee Substitute bill for H.B. 1260 and requests conferees. Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Rucho, Chair; Senator Clodfelter; Senator Hoyle; and Senator Nesbitt 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.

**WITHDRAWAL FROM COMMITTEE**

**H.B. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE CONDITIONS OF PROBATION, re-referred to the **Judiciary I Committee** on June 3.

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Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill be withdrawn from the **Judiciary I Committee** and re-referred to the **Judiciary II Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Judiciary I Committee** and re-refers the measure to the **Judiciary II Committee**.

Upon motion of Senator Basnight, seconded by Senator Foriest, the Senate adjourns at 3:12 P.M. to meet Wednesday, June 16, at 3:00 P.M.

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### ONE HUNDRED AND THIRTY-THIRD DAY

Senate Chamber  
Wednesday, June 16, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"God of wisdom and guidance, we pray early in the process and will pray often for our Senate conferees and their House counterparts during the budget discussion. In a way they are like two teams of physicians resolutely suggesting different prescriptions for the same illness. In their collaboration, guide them. I know in the end they will make getting well the overriding issue in the conversations between them, not which medicine might work better to make it happen. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Clary, and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 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 Meghan Jackson from Clinton, North Carolina, who is serving the Senate as Nurse of the Day.*

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

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**S.B. 1213**, A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, 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 65078, is adopted and engrossed.

By Senator Foriest for the **Pensions & Retirement and Aging Committee**:

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, with a favorable report.

**S.B. 1356**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND, with a favorable report.

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

**H.B. 1934** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM, with a favorable report.

**H.B. 1935** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING FOR BENEFITS AND TO ADD A STIPEND FOR MINOR CHILDREN UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY, with a favorable report.

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**S.B. 1251**, A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 35469, is adopted and engrossed.

### CALENDAR

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

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Snow, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 24.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

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

**S.B. 1210**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS TO INCREASE LICENSURE FEES UNDER THE ATHLETIC TRAINERS LICENSING ACT, with a favorable report.

**S.B. 1444**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55621, which changes the title to read **S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, is adopted and engrossed.

### CALENDAR *(continued)*

**H.B. 683** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE

June 16, 2010

CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 23.

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Senator Queen:

**S.J.R. 1454**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BETTY HUTCHINSON WISER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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. 1884**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID.

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

**H.B. 1998**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECIPROCITY FOR SERVICE IN THE OPTIONAL RETIREMENT PROGRAM FOR MEMBERS OF THE TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM.

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

### CALENDAR *(continued)*

**S.B. 1121** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO LEASE CITY-OWNED REAL PROPERTY IN ITS MUNICIPAL SERVICE DISTRICTS, FOR SUCH CONSIDERATION, UPON SUCH TERMS, AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

June 16, 2010

**H.B. 1076** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY.

Senator Dickson offers Amendment No. 1 which is adopted (47-0), and changes the title upon concurrence to read **H.B. 1076** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF BLADEN COUNTY TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN BLADEN COUNTY.

The Senate Committee Substitute bill, as amended, passes its second reading and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Stevens for the **Education/Higher Education Committee**:

**S.B. 1202**, A BILL TO BE ENTITLED AN ACT TO EXPAND MODELS OF COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS TO INCLUDE FIVE-YEAR CAREER ACADEMIES WITHIN EXISTING SCHOOLS AND TO REQUIRE THAT CAREER ACADEMIES APPROVED AS COOPERATIVE INNOVATIVE HIGH SCHOOLS NOT RECEIVE A SEPARATE SCHOOL CODE AND THAT RECORDS BE MAINTAINED FOR STUDENTS ENROLLED IN THE CAREER ACADEMIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, with a favorable report.

**H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE SYSTEM TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

**H.B. 1864**, A BILL TO BE ENTITLED AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION, with a favorable report.

**S.B. 1119**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE CONSOLIDATION OF ALL REGULATORY FUNCTIONS REGARDING THE MONITORING OF PRIVATE EARLY CARE AND EDUCATION

June 16, 2010



PROVIDERS FOR COMPLIANCE WITH THE MORE AT FOUR PROGRAM AS RECOMMENDED BY THE TASK FORCE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75401, which changes the title to read **S.B. 1119** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ALL REGULATORY FUNCTIONS REGARDING THE MONITORING OF PRIVATE EARLY CARE AND EDUCATION PROVIDERS FOR COMPLIANCE WITH THE MORE AT FOUR PROGRAM AND TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION, is adopted and engrossed.

**S.B. 1198**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE EDUCATION CABINET TO SET AS A PRIORITY AN INCREASE IN THE NUMBER OF POSTSECONDARY CREDENTIALS IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND TO SUPPORT EFFORTS TO ACHIEVE THAT PRIORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) 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 85366, is adopted and engrossed.

**S.B. 1201**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL OPERATING FLEXIBILITY TO COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) 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 55622, is adopted and engrossed.

**S.B. 1244**, A BILL TO BE ENTITLED AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) 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 65080, is adopted and engrossed.

June 16, 2010

**CALENDAR** *(continued)*

**S.B. 1242**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN COURT COSTS APPLY FOR AMENDMENTS AND COUNTERCLAIMS IN CHAPTER 50B OF THE GENERAL STATUTES ACTIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

The bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1259**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE A RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK.

The bill passes its second reading (45-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.J.R. 1300**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR W. WILLIAMSON, FORMER MEMBER OF THE GENERAL ASSEMBLY.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Soles, the Chair extends the courtesies of the gallery to Catherine P. Williamson, his wife; his children, Betty W. Welch, Sarah W. Purvis and spouse Brian Purvis, Jean Arthur Hammond and spouse Rodney Sonny Hammond, Arthur W. "Buddy" Williamson, Jr. and spouse Melissa B. Williamson; Catherine R. Nichols, his stepdaughter; and Kenneth Rothrock, his stepson; grandchildren, Linda W. Sanderson, Sandra W. Barber, Sheri H. Noble, Debra P. Perry, Deadra W. Greene and spouse Benjie Greene and Arthur W. "Art" Williamson III; great-grandchildren, Jennifer S. Alcock, Fielding Hammond, Kayla Greene, Colin Perry, Heath Perry, Seth Noble, Laney Greene, Haley Perry, Olivia Williamson, Ava Williamson and Arthur W. "Wit" Williamson IV; great-great-grandchildren, Caleb Alcock, Joel Alcock and Addison Alcock; niece, Patricia M. Davis; and great niece, Julie Ann Davis.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 1789**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF TRYON ON THE TOWN'S ONE HUNDREDTH TWENTY-FIFTH ANNIVERSARY.

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

June 16, 2010

**CALENDAR** *(continued)*

**S.B. 1386** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ALLOWING EMPLOYEES MOVING BETWEEN STATE, CITY, AND COUNTY GOVERNMENT TO PORT THEIR SICK AND ANNUAL LEAVE.

Senator East offers Amendment No. 1 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives.

**H.B. 466** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, AND TO AUTHORIZE SPECIFIED TELEPHONE COMPANY CUSTOMER SATISFACTION CALLS.

The Senate Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**H.B. 1710** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1713**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.J.R. 2051**, A JOINT RESOLUTION HONORING THE CENTENNIAL OBSERVANCE OF LITTLE SWITZERLAND.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

June 16, 2010

**S.B. 59** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AN ORDER FOR THE PAYMENT OF ATTORNEYS' FEES IN ACTIONS FOR ALIMONY OR POSTSEPARATION SUPPORT, for concurrence.

Upon motion of Senator Dickson, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

**S.B. 254** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL, for concurrence.

Upon motion of Senator Vaughan, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

**H.J.R. 1789**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF TRYON ON THE TOWN'S ONE HUNDREDTH TWENTY-FIFTH ANNIVERSARY, placed earlier on today's Calendar.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

Upon motion of Senator Basnight, seconded by Senator Apodaca, the Senate adjourns subject to receipt of committee reports, to meet Thursday, June 17, at 10:00 A.M.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 1215**, A BILL TO BE ENTITLED AN ACT TO INCREASE UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85368, is adopted and engrossed.

**S.B. 1332**, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPACE ON THE STATE INCOME TAX RETURN FOR INDIVIDUALS TO MAKE DONATIONS FOR SPAYING AND NEUTERING OF DOGS AND CATS IN ORDER TO HELP REDUCE THE POPULATION OF UNWANTED ANIMALS IN THE STATE, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

June 16, 2010

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65082, which changes the title to read **S.B. 1332** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER ADMINISTRATION OF THE VOLUNTARY SPAY/NEUTER PROGRAM TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO AMEND THE FUNDING FOR THE SPAY/NEUTER ACCOUNT, is adopted and engrossed.

**S.B. 1389**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55624, is adopted and engrossed.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 4:53 P.M.

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### ONE HUNDRED AND THIRTY-FOURTH DAY

Senate Chamber  
Thursday, June 17, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, we want to live lives that are worthy in your sight. It is impossible, we have learned, even when doing our best and what we believe is right, to please everyone. As much as we would like the approval of others, let us first gain your approval. The pat on the back we really seek, O God, is from you. Now grant safe travel and rest to the Senators and staff as they return to their homes this weekend. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Clary, Senator Dorsett, and Senator Rouzer.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, 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.

June 17, 2010

*The Chair extends privileges of the floor to Pam Lister from Hope Mills, North Carolina, Erica Saunders from Apex, North Carolina and Tom Bush from Chapel Hill, 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. 59**, AN ACT TO CLARIFY AN ORDER FOR THE PAYMENT OF ATTORNEYS' FEES IN ACTIONS FOR ALIMONY OR POSTSEPARATION SUPPORT.

**S.B. 254**, AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL.

**H.B. 1710**, AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

**H.B. 1713**, AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

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. 1300**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR W. WILLIAMSON, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 9)

**H.J.R. 1789**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF TRYON ON THE TOWN'S ONE HUNDREDTH TWENTY-FIFTH ANNIVERSARY. (Res. 10)

**H.J.R. 2051**, A JOINT RESOLUTION HONORING THE CENTENNIAL OBSERVANCE OF LITTLE SWITZERLAND. (Res. 11)

### CALENDAR

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

June 17, 2010

**S.B. 1213** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 23.

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Upon motion of Senator Snow, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 24.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 80** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUALLY APPLY THE SPECIAL RULES FOLLOWING A FEDERAL DECENNIAL CENSUS TO MUNICIPAL REDISTRICTING AFTER THAT CENSUS, 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 30528, which changes the title upon concurrence to read **H.B. 80** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN THE USE OF ELECTRONIC MACHINES AND DEVICES FOR SWEEPSTAKES PURPOSES, is adopted and engrossed.

#### **CALENDAR** *(continued)*

**S.B. 1389** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM, upon second reading.

June 17, 2010

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Rockingham, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, June 21, upon third reading.

**S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, 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, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Brock, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Monday, June 21, upon third reading.

**H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE SYSTEM TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Upon motion of Senator Stevens, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 22.

**S.B. 1356**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1934** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE



FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1935** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RAISE THE CEILING FOR BENEFITS AND TO ADD A STIPEND FOR MINOR CHILDREN UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 1215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES, upon second reading.

*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 reading, by roll-call vote, ayes 42, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Bingham, Blake, Blue, Brown, Brunstetter, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---42.

Voting in the negative: Senators Apodaca, Berger of Rockingham and Brock---3.

The Committee Substitute bill remains on the Calendar for Monday, June 21, upon third reading.

**S.B. 1119** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSOLIDATION OF ALL REGULATORY FUNCTIONS REGARDING THE MONITORING OF PRIVATE EARLY CARE AND EDUCATION PROVIDERS FOR COMPLIANCE WITH THE MORE AT FOUR PROGRAM AND TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

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**S.B. 1198** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE EDUCATION CABINET TO SET AS A PRIORITY AN INCREASE IN THE NUMBER OF POSTSECONDARY CREDENTIALS IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND TO SUPPORT EFFORTS TO ACHIEVE THAT PRIORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**S.B. 1201** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL OPERATING FLEXIBILITY TO COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

Senator Goodall offers Amendment No. 1, which he subsequently withdraws.

Senator Goodall offers Amendment No. 2.

Senator Hoyle offers a motion that Amendment No. 2 lie upon the table, seconded by Senator Jenkins, which motion prevails (26-20).

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**S.B. 1202**, A BILL TO BE ENTITLED AN ACT TO EXPAND MODELS OF COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS TO INCLUDE FIVE-YEAR CAREER ACADEMIES WITHIN EXISTING SCHOOLS AND TO REQUIRE THAT CAREER ACADEMIES APPROVED AS COOPERATIVE INNOVATIVE HIGH SCHOOLS NOT RECEIVE A SEPARATE SCHOOL CODE AND THAT RECORDS BE MAINTAINED FOR STUDENTS ENROLLED IN THE CAREER ACADEMIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**S.B. 1210**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS TO INCREASE LICENSURE FEES UNDER THE ATHLETIC TRAINERS LICENSING ACT.

The bill passes its second reading (39-7) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

June 17, 2010

**S.B. 1244** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR.

The Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1332** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER ADMINISTRATION OF THE VOLUNTARY SPAY/NEUTER PROGRAM TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO AMEND THE FUNDING FOR THE SPAY/NEUTER ACCOUNT.

The Committee Substitute bill passes its second reading (45-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1864**, A BILL TO BE ENTITLED AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION.

The bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

The Senate recesses at 10:49 A.M. to reconvene at 11:10 A.M.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Upon motion of Senator Basnight, seconded by Senator Soles, the Senate adjourns at 11:17 A.M. to meet Monday, June 21, at 7:00 P.M.

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June 17, 2010

**ONE HUNDRED AND THIRTY-FIFTH DAY**

Senate Chamber  
Monday, June 21, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, how might we do things differently this week in order to produce better results? In his letter to the Ephesians, the Apostle Paul suggested that we live life on a higher plane, a life renewed by you from the inside which works itself into our conduct, accurately producing more Godly character. So on what plane will we live this week, O God? With your help, every time we do what is right rather than what is expedient or speak truth when it is easier not to, we will become more fully alive. No matter what is acceptable in our society, we want to make a choice that is far more satisfying than anything a deceptive world can offer. To that end, help us, O God. Amen."

The Chair grants a leave of absence for tonight to Senator Blake.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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 Karen L. Beard Byrd from Winston-Salem, 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:

**H.B. 1429**, AN ACT TO EXTEND THE EFFECTIVE DATE FOR COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS.

**H.B. 1864**, AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION.

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

June 21, 2010

**H.B. 1934**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM.

**H.B. 1935**, AN ACT TO RAISE THE CEILING FOR BENEFITS AND TO ADD A STIPEND FOR MINOR CHILDREN UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY.

#### **INTRODUCTION OF A RESOLUTION**

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 Senator Blue:

**S.J.R. 1455**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO HONOR THE DUKE UNIVERSITY MEN'S BASKETBALL TEAM FOR WINNING THE 2010 NCAA CHAMPIONSHIP.

Upon motion of Senator Hoyle, the rules are suspended and the joint resolution is placed on tonight's Calendar.

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

The following messages are received from the House of Representatives:

**H.B. 1746** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO: (1) DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS; (2) DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN; AND (3) DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.B. 1747** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS

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LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.J.R. 1907**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION.

Referred to the **Commerce Committee**.

**S.B. 66** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE ARTS EDUCATION PLAN, for concurrence in the House Committee Substitute bill.

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

**S.B. 595** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON STATE ROADS WITHIN MUNICIPAL LIMITS, for concurrence in the House Committee Substitute bill No. 2.

Referred to the **Transportation Committee**.

### CALENDAR

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

**S.B. 1389** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM, upon third reading.

Senator Foriest offers Amendment No. 1 which is adopted (48-1).

The amendment is ruled to be material, which constitutes first reading.

The Committee Substitute bill, as amended, is placed on the Calendar for Tuesday, June 22, upon second reading.

**S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, upon third reading.

The Committee Substitute bill 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson,

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Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---49.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

**S.B. 1215** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES, upon third reading.

*Without objection, Senator Clodfelter requests to be excused from voting on the bill due to a conflict of interest.*

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 43, noes 5, as follows:

Voting in the affirmative: Senators Albertson, Allran, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Boseman, Brown, Brunstetter, Clary, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: Senators Apodaca, Berger of Rockingham, Brock, Forrester and Kinnaird--5.

The Committee Substitute bill is ordered sent to the House of Representatives.

**H.B. 80** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN THE USE OF ELECTRONIC MACHINES AND DEVICES FOR SWEEPSTAKES PURPOSES.

Upon motion of Senator Berger of Rockingham, and without objection, Rule 57.1 is suspended to the end of the Calendar.

*Without objection, Senator Brunstetter requests to be excused from voting on Amendment No. 1 and the bill due to a conflict of interest.*

Senator Stein offers Amendment No. 1. which is adopted (47-1).

The Senate Committee Substitute bill, as amended, passes its second reading (47-1) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence.

### SENATE PAGES

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

Kelly Anderson, Charlotte; Kelly Archer, Carrboro; Lauren Bateman, Raleigh; Rebecca Conner, Raleigh; Sierra Croft, Cherryville; Deirdre Curran, Chapel Hill; Andrew Dinwiddie, Waynesville; Marquenet Fuller, Manteo;

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Sydney Griffin, Forest City; Andrew Harris, Gastonia; Anna Hawksworth, Raleigh; Grace Holbrook, Greensboro; Ellie Holleman, Greensboro; Brandon Hughes, Garner; Alex James, Raleigh; Curt Koone, Union Mills; Jake Lamers, Raleigh; Hannah Lee, Raleigh; John Lineberger, Winston-Salem; Taylor Mahaffey, Belmont; Will McGuire, Eden; Yash Mehta, Raleigh; Davis Mitchell, Cary; Jennifer Polvino, Cary; Adi Sapasetty, Cary; Alex Sewell, Marshall; Jane Smith, Chapel Hill; Katelyn Stiles, Bessemer City; Brianna Tate, Summerfield; Will White, New Bern; Edward Woodall, Four Oaks and Katie Yelton, Rutherfordton.

#### CALENDAR *(continued)*

**S.J.R. 1455**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO HONOR THE DUKE UNIVERSITY MEN'S BASKETBALL TEAM FOR WINNING THE 2010 NCAA CHAMPIONSHIP, placed earlier on tonight's Calendar.

The joint resolution passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 181**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE FROM FIFTY-FOUR YEARS OF AGE TO SIXTY-FIVE YEARS OF AGE, referred to the **Commerce Committee** on February 17, 2009.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Commerce Committee** and re-referred to the **Transportation Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Commerce Committee** and re-refers the measure to the **Transportation Committee**.

**H.B. 213** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES, referred to the **Appropriations/Base Budget Committee** on June 11, 2009.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Education/Higher Education 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 **Education/Higher Education Committee**.

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**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**H.J.R. 2074** (Committee Substitute), A JOINT RESOLUTION HONORING THE PUBLIC SERVICE OF HOYT PATRICK TAYLOR, SR. AND HOYT PATRICK TAYLOR, JR.

Upon motion of Senator Hoyle, the rules are suspended and the joint resolution is placed on tonight's Calendar.

**WITHDRAWAL FROM COMMITTEE**

**S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, referred to the **Judiciary I Committee** on June 2.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the House Committee Substitute bill be withdrawn from the **Judiciary I Committee** and placed on the Calendar for Tuesday, June 22, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the **Judiciary I Committee** and places it on the Calendar for Tuesday, June 22.

**CALENDAR** *(continued)*

**H.J.R. 2074** (Committee Substitute), A JOINT RESOLUTION HONORING THE PUBLIC SERVICE OF HOYT PATRICK TAYLOR, SR. AND HOYT PATRICK TAYLOR, JR, placed earlier on tonight's Calendar.

Upon motion of Senator Brock, the remarks of the members are spread upon the Journal, as follows:

**Senator Purcell:**

“Ladies and gentlemen of the Senate, it is a special honor for me to pay homage to two great North Carolinians from Anson County, Hoyt Patrick Taylor, Sr. and Hoyt Patrick Taylor, Jr. What a legacy of public service this father and son pair has had. There is a lot of information in the resolution about each of them and I will not repeat. I will only try to mention a few highlights. Pat Taylor, Sr., 1890 to 1964, was an attorney, a U.S. Army Officer wounded in France during World War I, a Mayor of Wadesboro, a North Carolina State Senator, and Lieutenant Governor of North Carolina. Pat Taylor, Jr., who is an attorney, was an officer in the U.S Marine Corps during World War II and the Korean War, a member of the North Carolina House of Representatives and Speaker of the North Carolina House of Representatives, and Lieutenant Governor of North Carolina. They have the distinction of being the only father and son pair to serve as Lieutenant Governor of North Carolina. It is interesting that Pat Taylor, Sr. was

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elected Lieutenant Governor in 1948 when Kerr Scott was elected Governor. Pat Taylor, Jr. was elected Lieutenant Governor in 1968, twenty years later, the same time Kerr Scott's son, Bob, was elected Governor. Both of the Taylors served with distinction on numerous boards and commissions throughout the State and many of them are mentioned in the Resolution. Patrick Taylor, Sr. was voted by members of the State Press as the most valuable member of the North Carolina Senate in the 1939 and 1943 Sessions of the General Assembly. Pat Taylor, Sr. also served as a member of the UNC Board of Trustees for a number of years. Pat Taylor, Jr. is a recipient of the Judge John Jay Park Award, the highest award given by the North Carolina Bar Association, and also received the Distinguished Alumni Award from the University of North Carolina School of Law. Pat Taylor, Jr. ran as a Democrat candidate for Governor in 1972. In that same year, he was one of several who received votes for the Democratic Vice-Presidential Nomination at the 1972 National Convention. I have found Pat Taylor to be a great individual, always showing concern for others as he did throughout his political career. In recent years, I have picked Pat Taylor up on several occasions as we were both going to meetings. He always insisted that he meet me on Highway 74 that goes through Wadesboro rather than have me go out of the way to pick him up at his home which I would have been glad to do. Pat Taylor, Jr. and his wife, Elizabeth Lockhart Taylor and their families, were honored by South Piedmont Community College in Wadesboro when a renovated textile mill that houses college education programs and is a prime meeting facility in the community was named the Lockhart-Taylor Center. Personally, I must say that I have enjoyed knowing Pat Taylor, traveling with him on occasions and always looking forward to his stories and tales, usually about experiences in his political life and stories that often had significant meaning and advice that he obviously wanted me to have. But with full disclosure, I must add, as Aaron Plyler well knows, some of Pat's tales and stories weigh a little more toward entertainment than they did to significant meaning! Please join me in voting aye when we vote on this resolution honoring two extremely talented and dedicated public servants and great North Carolinians, Hoyt Patrick Taylor, Sr. and Hoyt Patrick Taylor, Jr."

**Senator Dickson:**

"It's certainly impressive to read through this resolution and to hear Senator Purcell talk about the accomplishments of these two great North Carolinians and what they have done, not only for our State but for many of the institutions in our State. My own memories are much less exalted and much more personal. My grandfather, John Dawson of Lenoir County, who served in the House and in the Senate many years ago, greatly admired Speaker Taylor and prevailed upon his friend, Speaker Taylor, to appoint me to serve as these young folks are serving here with us tonight. It was really a wonderful experience for me. I came to Raleigh with a friend from Fayetteville, a girl I grew up with, and we had a very exciting and wonderful week serving in the House with Speaker Taylor. I still remember those days very fondly and I think that they, in many ways, kindled my own interest in State Government. So I want to say thank you to Speaker Taylor for that appointment many, many years ago. It was the second session in this building in 1965 and I want to invite everyone here, my Senate colleagues and

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anybody else who is interested, to come by my office where my appointment letter hangs on my wall. I'm very proud of it. I had it framed and it is on the wall in my office and it appoints me not to be a page in the House but, as was customary many years ago in 1965, Speaker Taylor appointed me a Pageette."

**Senator Soles:**

"Ladies and gentlemen of the Senate, this resolution brings back many fond memories for me. I was sitting here reading and realized that Lieutenant Governor Pat Taylor, Sr. and Governor Kerr Scott were serving in the legislature when I was in high school. I have a picture on the wall in my office right across the hall of Governor Kerr Scott standing on a flat bed truck in front of a tobacco warehouse in Columbus County with his hand crammed down in his pockets obviously making a political speech of some sort and right behind it is the county band and there I am about 16 years old sitting on the platform directly behind Kerr Scott. It is one of my favorite photographs that my mother gave me several years ago when she found it in the attic or somewhere. Then I read on down in the resolution about Bob Scott and Lieutenant Governor Patrick Taylor, Jr. They were both elected in the same election that I was elected to come to the House of Representatives. The first Governor I served under, and there have been many of them since then, was Bob Scott. Patrick Taylor served over here as President of the Senate, presiding as Lieutenant Governor. I remember meeting him in the hall many times, although I never served in a Chamber that he was presiding over, but he was always a gentleman and always willing to stop and talk and always had a pleasant word for you. His wife's family is from Columbus County in Chadbourn. The Wootens down there are a very prominent family. They are well-respected down there. I remember how Pat Taylor, Jr. was always pushing for education and working to promote the university systems and colleges and I think it was growing out. If you look at the resolution, he had served on the Board of Trustees of the University of North Carolina, at Chapel Hill, on the General Alumni Association, on the Board of Trustees at UNC-G and many others. Then I noticed at the bottom that he was a member of the Rotary Club. The Rotary motto is 'Service before self' and certainly Patrick Taylor, both senior and junior, served with distinction and put service before self. I encourage you to vote for this resolution."

**Senator Basnight:**

"To the Taylor family, you may remember the name of Keith Fearing. Keith was a pharmacist and doctor for many of us in Dare County. We had no doctor at that time and he enlisted my support to help Pat Taylor in his run for Lieutenant Governor. Back in those days, Senator Jacumin, a Republican candidate fortunately did not do well in Dare County. Unfortunately, they do today in Dare County. But in those times, my job was to put his posters up and tear down the posters of his opponent. I hate to tell you but I was pretty good at that. I had selected the right candidate I found out later. I had listened to Keith Fearing because we all believed in him and his value to our community and the way of life. When I chose to campaign for Pat Taylor, I began my political career in some way. So either you can curse me or thank me for what I have become. I thank you and I encourage all to vote for this resolution."

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The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

**Lieutenant Governor Walter Dalton:**

“This is a wonderful evening as we honor two great men in a unique part of North Carolina’s history. My father had the honor of serving in the North Carolina Senate when Pat Taylor Sr. was Lieutenant Governor. It has been my pleasure over the last few years to get to know Pat, Jr. Not only were they the only father and son to be Lieutenant Governors in North Carolina, I think there is only one other in the history of the Nation, father/son team like that. In addition, Pat, Jr. was Speaker of the House. It is somewhat unique that they cover World War I, World War II and Korea. Pat, Sr. served in World War I in the 371st Infantry. He was awarded the Silver Star and the Purple Heart. Pat, Jr. was a Marine serving in World War II and Korea. North Carolina is grateful for their leadership in many ways, public and private universities. Senior was on the Board at Meredith and UNC. Junior was on the Board at UNC, on the Board of Governors and also on the Board of Trustees at UNC-G. We have court reform because Pat, Jr. championed a constitutional amendment. That is the reason he won those top legal honors. They are champions of business, serving on many different boards and Pat, Jr. also received votes for Vice-President of the United States in the 1972 Democratic Convention. It is a family that has given very generously of their time in public service. They have also given the personal papers of Pat, Sr. and Pat, Jr. to the State Archives of North Carolina and we are honored for their service and honored to have them here today.”

The President extends courtesies of the gallery to the Honorable Pat Taylor, Jr., his wife, Elizabeth Lockhart Taylor; their daughter, Elizabeth; their son, Hoyt; their son, Lockhart; former Senator Aaron Plyler, from Union County; and other family and friends.

**APPOINTMENT OF ADDITIONAL CONFEREE**

**S.B. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.

Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Snow 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 Basnight, seconded by Senator Kinnaird, the Senate adjourns at 8:06 P.M. to meet Tuesday, June 22, at 3:00 P.M.

**ONE HUNDRED AND THIRTY-SIXTH DAY**

Senate Chamber  
Tuesday, June 22, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear Lord, I've visited a congregation or two in the past, made up of mostly fine folks. A few of whom, if the preacher had preached on Jesus' miracle of feeding the 5000 with five loaves and fish, might have whispered among themselves, during the sermon, questioning whether the two fish were bass or catfish and what bait was used to catch them. Sometimes we all overlook your miracles while trying to figure out the details. With all the small print the Senators and staff must originate and digest each day, keep them awake of the grand vision, theirs and yours, O God. It might just be a miracle in which they are participating. Amen."

The Chair grants leaves of absence for today to Senator Blake and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 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 Janet Poindexter from Roseville, North Carolina, who is serving the Senate as Nurse of the Day.*

**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:

**S.B. 1359**, AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM.

**S.J.R. 1455**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO HONOR THE DUKE UNIVERSITY MEN'S BASKETBALL TEAM FOR WINNING THE 2010 NCAA CHAMPIONSHIP. (Res. 12)

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**H.J.R. 2074**, A JOINT RESOLUTION HONORING THE PUBLIC SERVICE OF HOYT PATRICK TAYLOR, SR. AND HOYT PATRICK TAYLOR, JR. (Res. 13)

### 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. 1934**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM TO MAKE THE MINIMUM DEATH BENEFIT AVAILABLE WITH RESPECT TO ALL RETIREES OF THE SYSTEM. (Became law upon ratification, June 21, 2010 - S.L. 2010-7.)

**H.B. 1935**, AN ACT TO RAISE THE CEILING FOR BENEFITS AND TO ADD A STIPEND FOR MINOR CHILDREN UNDER THE EMERGENCY PENSION FUND FOR SWORN LAW ENFORCEMENT OFFICERS OF MECKLENBURG COUNTY. (Became law upon ratification, June 21, 2010 - S.L. 2010-8.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Soles for the **Commerce Committee**:

**S.B. 1338**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, with a favorable report.

Upon motion of Senator Soles, the bill is re-referred to the **Finance Committee**.

**H.J.R. 1907**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION, with a favorable report.

By Senator Jones for the **State & Local Government Committee**:

**H.B. 1664**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK, with a favorable report.

**H.B. 1716**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HAMLET TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS, with a favorable report.

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**H.B. 1956**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORM OF GOVERNMENT FOR THE TOWN OF MARSHVILLE FROM MAYOR-COUNCIL TO COUNCIL-MANAGER, with a favorable report.

**S.B. 1345**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE CITY OF GREENSBORO FROM THE REQUIREMENT THAT CERTAIN WILD ANIMALS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND AUTHORIZE THE RELOCATION OF THOSE ANIMALS TO A SUITABLE ALTERNATIVE HABITAT, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85369, which changes the title to read **S.B. 1345** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN EXPERIMENTAL PROGRAM IN WHICH THE CITY OF GREENSBORO IS GIVEN A LIMITED EXEMPTION FROM THE REQUIREMENT THAT BEAVERS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND THE CITY IS AUTHORIZED TO RELOCATE THOSE BEAVERS TO A SUITABLE ALTERNATIVE HABITAT, is adopted and engrossed.

**H.B. 710**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CLAYTON TO USE ELECTRONIC MEANS TO PROVIDE PUBLIC NOTICE FOR CERTAIN PUBLIC HEARINGS, 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 11143, which changes the title upon concurrence to read **H.B. 710** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION, is adopted and engrossed.

Upon motion of Senator Jones, the Senate Committee Substitute bill is referred to the **Finance Committee**.

**H.B. 2042** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND, 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 80638, which changes the title upon concurrence to read **H.B. 2042** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND; AND TO PROVIDE THAT THE CITY OF KING MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER, is adopted and engrossed.

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By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 961** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT CONFLICT OF INTEREST AND ITS APPEARANCE INVOLVING POLITICAL CONTRIBUTIONS BY STATE CONTRACTORS, 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 30530, which changes the title upon concurrence to read **H.B. 961** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN PUBLIC CONFIDENCE IN THE ELECTION PROCESS FOR COUNCIL OF STATE OFFICES THAT REGULATE INDIVIDUALS AND BUSINESSES IN THIS STATE; TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, is adopted and engrossed.

Upon motion of Senator Nesbitt, the Senate Committee Substitute bill is referred to the **Finance Committee**.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING, with a favorable report.

**H.B. 1463** (Senate 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 UPON THE CONSENT OF THE PARTIES, AND ALLOWING 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, with an unfavorable report as to Senate Committee Substitute bill, but favorable as to Senate Committee Substitute bill No. 2.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 60088, is adopted and engrossed.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 1682** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION, referred to the **Rules and Operations of the Senate Committee** on June 14.

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

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

**H.B. 144** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST, referred to the **Health Care Committee** on June 7.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Senate Committee Substitute bill be withdrawn from the **Health Care Committee** and re-referred to the **Judiciary II Committee**, which motion prevails with unanimous consent.

The Chair orders the Senate Committee Substitute bill withdrawn from the **Health Care Committee** and re-refers the measure to the **Judiciary II Committee**.

**S.J.R. 1454**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BETTY HUTCHINSON WISER, FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on June 16.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Monday, June 28, 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 Monday, June 28.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

A joint resolution is filed for introduction, the Rules are suspended and it is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Blue, Atwater, McKissick; and Allran:

**S.J.R. 1456**, A JOINT RESOLUTION HONORING THE DUKE BLUE DEVILS ON WINNING THE 2010 NATIONAL BASKETBALL CHAMPIONSHIP.

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. 1666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUMBER OF MEMBERS OF THE DAVIE COUNTY BOARD OF EDUCATION FROM SIX TO SEVEN AND CHANGE THE TERMS OF OFFICE FROM SIX YEARS TO FOUR YEARS.

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

**H.B. 1729** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE DATE OF EXPIRATION OF A COMMERCIAL DRIVERS LICENSE; CLARIFY THE WORDING OF A SPECIAL LICENSE PLATE ON A VEHICLE OVER SIX THOUSAND POUNDS; PROHIBIT SPECIFIED LICENSE PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY USE OF REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN FREE LICENSE PLATES; CLARIFY THE FEE FOR A SPECIAL PLATE ON A PROPERTY HAULING VEHICLE; ELIMINATE THE FEE FOR REGISTRATION RENEWAL BY MAIL; AMEND REQUIREMENT FOR SEPARATE REGISTRATION OF LOGGING TRUCKS; MODIFY APPLICATION OF LIGHT-TRAFFIC ROAD LIMITATIONS AND PENALTIES; AUTHORIZE INCIDENT MANAGEMENT ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; EXTEND APPLICABILITY OF THE MOVE OVER LAW TO VEHICLES BEING USED TO RESTORE ELECTRIC UTILITY SERVICE DUE TO AN UNPLANNED EVENT; MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR HIGHWAY SHOULDERS; PROVIDE THAT FAILURE TO COMPLY WITH THE LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING, SUSPENDING, OR REVOKING A DEALER LICENSE; SPECIFY THAT THE YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM BE SET OUT IN A TRAFFIC SIGNAL PLAN SIGNED AND SEALED BY A PROFESSIONAL ENGINEER; CHANGE THE LAW CONCERNING REMOVAL OF ABANDONED VEHICLES FROM STREETS AND HIGHWAYS IN MUNICIPALITIES, EXEMPT HAULERS OF ANIMAL

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WASTE USED IN AGRIBUSINESS FROM THE WEIGHT RESTRICTIONS ON STATE ROADS, AND CLARIFY REQUIREMENTS FOR DOT INSPECTION PROGRAM CALL CENTER.

Referred to the **Transportation Committee** and upon a favorable report, re-referred to the **Finance Committee**.

**H.B. 1748** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.B. 1772** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

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

**H.B. 1821**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

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

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL.

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

**H.B. 1910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF SHELBY TO INSPECT CLEVELAND COUNTY VEHICLES REQUIRING EMISSIONS AND SAFETY INSPECTIONS UNDER THE CITY'S SELF-INSPECTOR LICENSE.

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

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**H.B. 1973** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND TAX CREDITS FOR GROWING BUSINESSES; TO REVISE ENVIRONMENTAL STANDARDS WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS; TO MODIFY THE REQUIREMENTS FOR AN AGRARIAN GROWTH ZONE; TO REDUCE THE CREDIT FOR INVESTMENTS IN BUSINESS PROPERTY UNDER ARTICLE 3J; TO ENHANCE THE COMPETITIVENESS OF THE CREDIT FOR PRODUCTION COMPANIES; TO ENACT TAX INCENTIVES FOR INTERACTIVE DIGITAL MEDIA COMPANIES; TO EXPAND THE TYPES OF DATACENTERS ELIGIBLE FOR PREFERENTIAL TAX TREATMENT; TO INCREASE THE NUMBER OF INDUSTRIES ELIGIBLE FOR SALES TAX REFUNDS ON BUILDING MATERIALS FOR MAJOR INDUSTRIAL FACILITIES; TO EXTEND SUNSETS ON EXPIRING ECONOMIC DEVELOPMENT TAX BENEFITS; TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS FOR PROJECTS LOCATED IN ECO-PARKS; TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN WOOD CHIPPERS; AND TO MAKE CHANGES TO PURCHASING AND CONTRACT LAWS.

Referred to the **Finance Committee**.

**H.B. 2056** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HAVE THE OFFICE OF CORONER IN RUTHERFORD COUNTY VACATED AT THE END OF THE CURRENT TERM.

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

**S.B. 866** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RESPECTFUL RETIREMENT BY FIRE OF STATE FLAGS THAT ARE NO LONGER FITTING FOR DISPLAY, for concurrence in the House Committee Substitute bill.

Referred to the **Judiciary II Committee**.

### CALENDAR

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

**S.B. 1389** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM, as amended by a material amendment on second reading on June 21, 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell,

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Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The Committee Substitute bill, as amended, is ordered engrossed and remains on the Calendar for Wednesday, June 23, upon third reading.

**H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE SYSTEM TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

Senator Davis offers Amendment No. 1 which is adopted (48-0), and changes the title upon concurrence to read **H.B. 1669**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE AND COMPARABLE SYSTEM APPROVED BY THE STATE BOARD OF EDUCATION TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT.

The bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 1.

**S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Clodfelter, the Senate fails to concur in the House Committee Substitute bill (0-48).

Senator Clodfelter offers a motion that the Senate appoint conferees, which motion prevails.

#### WITHDRAWAL FROM COMMITTEE

**S.J.R. 1456**, A JOINT RESOLUTION HONORING THE DUKE BLUE DEVILS ON WINNING THE 2010 NATIONAL BASKETBALL CHAMPIONSHIP, referred to the **Rules and Operations of the Senate Committee** on June 22.

Pursuant to Rule 47(a), Senator Hoyle 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 24, 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 24.

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**S.B. 66** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE ARTS EDUCATION PLAN, referred to the **Education/Higher Education Committee** on June 21.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the House Committee Substitute bill be withdrawn from the **Education/Higher Education Committee** and placed on the Calendar for Wednesday, June 23, which motion prevails with unanimous consent.

The Chair orders the House Committee Substitute bill withdrawn from the **Education/Higher Education Committee** and places it on the Calendar for Wednesday, June 23.

**S.J.R. 1301**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF W. HORACE CARTER, PULITZER PRIZE WINNING PUBLISHER, referred to the **Rules and Operations of the Senate Committee** on May 20.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the joint resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Monday, June 28, 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 Monday, June 28.

#### APPOINTMENT OF CONFERENCE COMMITTEE

**S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION.

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 144 earlier today and the motion by Senator Clodfelter to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair; Senator Berger of Rockingham; Senator Snow; and Senator Stein 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. 2071**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MYRNA MILLER WELLONS, AN ADVOCATE FOR SOCIAL WELFARE AND WOMEN'S RIGHTS.

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

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The joint resolution passes its second reading (46-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

Upon motion of Senator Purcell the Chair extends the courtesies of the gallery to Myrna Wellons' husband, Robert Shawn Wellons; her son, Christopher Wellons; and other friends.

#### **ADDITIONAL SPONSOR**

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

**S.J.R. 1349**, A JOINT RESOLUTION AUTHORIZING THE 2009 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF WILLFUL FAILURE TO CARRY OR COMPLETE AN ALIEN REGISTRATION DOCUMENT.

Upon motion of Senator Dannelly, seconded by Senator Purcell, the Senate adjourns subject to receipt of committee reports, to meet Wednesday, June 23, at 3:00 P.M.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**H.B. 961** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN PUBLIC CONFIDENCE IN THE ELECTION PROCESS FOR COUNCIL OF STATE OFFICES THAT REGULATE INDIVIDUALS AND BUSINESSES IN THIS STATE; TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC

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RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, 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, 30532, is adopted and engrossed.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 6:57 P.M.

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### ONE HUNDRED AND THIRTY-SEVENTH DAY

Senate Chamber  
Wednesday, June 23, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, there were many advocates for some cause outside the building this morning. It reminds me that each day a multitude of voices are begging us to buy, to experience, to believe and to side with certain views and beliefs. Help us to listen well but strive for discernment in our response. For most issues are bounded by two extremes and often the truth lies somewhere in the middle. Grant us the wisdom through your word and through your spirit to practice balance in our thinking and doing, otherwise we might swing to extremes and lose our effectiveness with others. And keep us from being willfully ignorant and prejudiced concerning another person's views, for in doing so we may miss the truth altogether. Amen."

The Chair grants leaves of absence for today to Senator Blake, Senator Jenkins, and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 22, 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 Aileen Smith from Winston-Salem, North Carolina and Ann Newman from Charlotte, North Carolina, who are serving the Senate as Nurses of the Day.*

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**BILLS SENT BY SPECIAL MESSAGE**

Upon motion of Senator Hoyle, and without objection, all roll-call bills ordered sent to the House of Representatives through the end of session will be sent by special message.

**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 1146**, AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN ORDINANCE.

**H.J.R. 2071**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MYRNA MILLER WELLONS, AN ADVOCATE FOR SOCIAL WELFARE AND WOMEN'S RIGHTS. (Res. 14)

**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:

**S.B. 1359**, AN ACT TO AMEND THE LAW THAT AUTHORIZED THE GOVERNING BODY OF THE TOWN OF HIGHLANDS TO ESTABLISH AND ADMINISTER A SCHOLARSHIP PROGRAM FOR GRADUATES OF HIGHLANDS HIGH SCHOOL TO PROVIDE THAT THE GOVERNING BODY HAS MORE DISCRETION WITH REGARD TO THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM. (Became law upon ratification, June 22, 2010 - S.L. 2010-9.)

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 337**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, with a favorable report.

**H.B. 1143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE ALL MILITARY WARTIME VETERAN SPECIAL PLATES BASED ON DEFINED PERIODS OF WAR, with a favorable report.

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**H.B. 1673** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES, with a favorable report.

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE, with a favorable report.

**H.B. 76** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO SET A NEW MINIMUM FILING FEE FOR BOARD OF EDUCATION CANDIDACY, 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 50949, which changes the title upon concurrence to read **H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, is adopted and engrossed.

By Senator Goss for the **Transportation Committee**:

**S.B. 181**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE FROM FIFTY-FOUR YEARS OF AGE TO SIXTY-FIVE YEARS OF AGE, with a favorable report.

**S.B. 595** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON STATE ROADS WITHIN MUNICIPAL LIMITS, with a favorable report as to concurrence.

**H.B. 1734** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY

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REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, 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 50948, which changes the title upon concurrence to read **H.B. 1734** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO LOCATE AND ACQUIRE RIGHTS-OF-WAY FOR THE PRESENT OR FUTURE RELOCATION OR INITIAL LOCATION OF DISTRIBUTED ANTENNA SYSTEMS (DAS) AS PERMITTED BY LOCAL ZONING, is adopted and engrossed.

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

**S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TRANSFER FEE COVENANTS DO NOT RUN WITH THE TITLE TO REAL PROPERTY AND ARE NOT BINDING ON OR ENFORCEABLE AGAINST ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE, with a favorable report as to concurrence.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar.

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**H.B. 1840**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS, 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 50947, which changes the title upon concurrence to read **H.B. 1840** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS AND TO TEMPORARILY LIMIT THE FINANCING OPTIONS FOR THESE SYSTEMS, is adopted and engrossed.

Upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

**H.B. 1307** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE THE HOUSE SELECT STUDY COMMISSION ON TRAFFICKING OF PRESCRIPTION MEDICATIONS, 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 60090, which changes the title upon concurrence to read **H.B. 1307** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF, is adopted and engrossed.

Upon motion of Senator Hoyle, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

By Senator Foriest for the **Pensions & Retirement and Aging Committee**:

**S.B. 1392**, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, with a favorable report.

**H.B. 1998**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECIPROCITY FOR SERVICE IN THE OPTIONAL RETIREMENT PROGRAM FOR MEMBERS OF THE TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM, with a favorable report.

**H.B. 2054** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES

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GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

By Senator Foriest for the **Education/Higher Education Committee**:

**H.B. 901** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP OR IDENTIFY ACADEMICALLY RIGOROUS HONORS-LEVEL COURSES IN HEALTHFUL LIVING EDUCATION THAT CAN BE OFFERED AT THE HIGH SCHOOL LEVEL, with a favorable report.

**H.B. 1676**, A BILL TO BE ENTITLED AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, with a favorable report.

**S.B. 1115**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 55633, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Judiciary II Committee**.

**S.B. 1199**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA SCHOOL OF BIOTECHNOLOGY AND AGRISCIENCE TO BE LOCATED AT THE VERNON G. JAMES RESEARCH AND EXTENSION CENTER, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) 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 55632, which changes the title to read **S.B. 1199** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY, is adopted and engrossed.

By Senator Bingham for the **Health Care Committee**:

**H.B. 1698** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

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**H.B. 1693**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION, 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 60091, which changes the title upon concurrence to read **H.B. 1693** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION, is adopted and engrossed.

**H.B. 1692** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE, AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, 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 30533, which changes the title upon concurrence to read **H.B. 1692** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION, is adopted and engrossed.

#### **RECOGNITION OF WILLIAM BUNN HONORARY MEMBER OF THE SENATE**

Senator Dannelly, Deputy President *Pro Tempore*, announces that Senator Hunt, Senator Blue, Senator Stein and Senator Stevens are appointed to escort William Bunn and guests to the Well of the Senate.

With unanimous consent, the privileges of the floor are extended to William Bunn, an eight-year old young man from Raleigh, diagnosed with cancer, who was recently named an Honorary Police Officer with the City of Raleigh Police Department; his parents, Amy and Mark; Raleigh Police Chief, Harry P. Dolan; and Raleigh Police Officer, G. A. Witherspoon.

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William is presented with a certificate from the Senate naming him an Honorary Member of the Senate, a certificate recognizing him for his bravery and courage, a framed copy of the seating chart with members' signatures, and a State flag. After brief remarks by Senator Hunt, Senator Basnight, Chief Dolan, and the Lieutenant Governor, the committee escorts the guests from the Chamber.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATAUGA COUNTY TO CONDUCT A REFERENDUM TO OPT OUT OF SUNDAY BOW HUNTING, referred to the **Rules and Operations of the Senate Committee** on June 14.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **State & Local Government Committee**, which motion prevails with unanimous consent.

The Chair orders the Committee Substitute bill withdrawn from the **Rules and Operations of the Senate Committee** and re-refers the measure to the **State & Local Government Committee**.

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE, referred to the **Rules and Operations of the Senate Committee** on June 10.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the Calendar for Thursday, June 24, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Rules and Operations of the Senate Committee** and places it on the Calendar for Thursday, June 24.

#### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
June 22, 2010

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 144**, A BILL TO BE ENTITLED AN

June 23, 2010

ACT TO LIMIT THE CIVIL LIABILITY OF DOMESTIC VIOLENCE SHELTERS AND PERSONS ASSOCIATED WITH THOSE SHELTERS, and requests conferees, Speaker Hackney appoints:

Representative Glazier, Chair,  
Representative Ross,  
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  
June 22, 2010

Mr. 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. 620**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT, and requests conferees.

Speaker Hackney has appointed:

Representative Ross, Chair  
Representative Martin,  
Representative Stam, and  
Representative Blust

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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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

The following messages are received from the House of Representatives:

**H.B. 1717** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, AND TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT.

Referred to the **Judiciary II Committee**.

**H.B. 1754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE AND MCDOWELL COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Referred to the **Finance Committee**.

**H.B. 1762**, A BILL TO BE ENTITLED AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary II Committee**.

**H.B. 1953** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010.

Referred to the **Finance Committee**.

**CALENDAR**

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

**S.B. 1389** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM, upon third reading.

The Committee Substitute bill, as amended and engrossed after second reading, 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson,

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Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---47.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives by special message.

**S.B. 1345** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN EXPERIMENTAL PROGRAM IN WHICH THE CITY OF GREENSBORO IS GIVEN A LIMITED EXEMPTION FROM THE REQUIREMENT THAT BEAVERS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND THE CITY IS AUTHORIZED TO RELOCATE THOSE BEAVERS TO A SUITABLE ALTERNATIVE HABITAT.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1664**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1716**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF HAMLET TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1753**, A BILL TO BE ENTITLED AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 1956**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FORM OF GOVERNMENT FOR THE TOWN OF MARSHVILLE FROM MAYOR-COUNCIL TO COUNCIL-MANAGER.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**H.B. 2042** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND;

AND TO PROVIDE THAT THE CITY OF KING MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER.

The Senate Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**H.B. 961** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN PUBLIC CONFIDENCE IN THE ELECTION PROCESS FOR COUNCIL OF STATE OFFICES THAT REGULATE INDIVIDUALS AND BUSINESSES IN THIS STATE; TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, upon second reading

Upon motion of Senator Nesbitt, the Senate Committee Substitute bill No. 2 is withdrawn from today's Calendar and is re-referred to the **Judiciary I Committee**.

**S.B. 1213** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, June 24.

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**H.B. 683** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009.

*Without objection, Senator Hunt requests to be excused from voting on the bill due to a conflict of interest.*

Senator Clodfelter offers Amendment No. 1 which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its second reading (45-1) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence.

**H.B. 1463** (Senate 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, AND ADULT FAMILY MEMBERS OF DECEASED BIOLOGICAL PARENTS TO HAVE ACCESS TO CONFIDENTIAL INTERMEDIARY SERVICES UPON THE CONSENT OF THE PARTIES, AND ALLOWING 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.

The Senate Committee Substitute bill No. 2 passes its second reading (40-7) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

**H.J.R. 1907**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 66** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE ARTS EDUCATION PLAN, for concurrence.

Upon motion of Senator Dorsett, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

**S.B. 35** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TRANSFER FEE COVENANTS DO NOT RUN WITH THE TITLE TO REAL PROPERTY AND ARE NOT BINDING ON OR ENFORCEABLE AGAINST ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE, placed earlier on today's Calendar for concurrence.

Upon motion of Senator Hoyle, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

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**H.B. 1307** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF, placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second reading by a three-fifths majority vote, ayes 46, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: Senator Goodall---1.

The Senate Committee Substitute bill passes its third reading by a three-fifths majority vote, ayes 46, noes 1, as follows:

Voting in the affirmative are: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: Senator Goodall---1.

The Senate Committee Substitute bill is ordered sent to the House of Representatives for concurrence.

**H.B. 1840** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS AND TO TEMPORARILY LIMIT THE FINANCING OPTIONS FOR THESE SYSTEMS, placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second reading (46-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence.

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

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

**S.B. 992** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PYROTECHNICS TRAINING AND PERMITTING ACT, for concurrence.

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Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill No. 3 is placed on today's Calendar for immediate consideration.

Upon motion of Senator Davis, the Senate concurs in the House Committee Substitute bill No. 3, (47-0) and the bill is ordered enrolled and sent to the Governor by special message.

### **POINTS OF PERSONAL PRIVILEGE**

Upon motion of Senator Atwater, the remarks of Senator Albertson are spread upon the Journal as follows:

**Senator Albertson:**

“Thank you, Mr. President. Members of the Senate, I rise today to remind all of you that this is Agribusiness Day in the General Assembly, a time when we stop and pause and give thanks to this great industry for all that it has done and continues to do to make our State the wonderful place that it is. Senator Basnight, it always surprises people, even today, when you tell them that Agribusiness is still the number one industry in this State. I’m pleased to tell all of you that since our last report, we’ve seen about a \$4 billion increase in this industry. It is now \$74.3 billion that it brings to our State and of the four million people in this State who work, about 17% are engaged in Agribusiness so it begins to tell you the impact of this great industry. Some of you might be surprised to learn that almost 60% of our great land is covered by forests which bring so much beauty to our State to make it one of the most beautiful states, I think, in the whole wide world. Senator Basnight, thank you for giving me the opportunity all of these years to serve as Chair of the Ag/Environment/Natural Resources Committee. I have learned even more about Agriculture, Agribusiness and what it means to our people and, while I have met many great people like all of you, I have really learned and come to appreciate those people who produce our food and fiber. They are some of the best stewards, I think, in the world because they understand where the food and fiber comes from and they know how important it is to take care of the soil and the water. So tonight when you enjoy that great meal, as I’m sure you will, or in the morning when you have that wonderful breakfast, give thanks to the Good Lord and all of our farmers, our growers and our producers who provide this valuable good resource for us. Thank you very much.”

### **ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 992, AN ACT TO AMEND AND CLARIFY THE PYROTECHNICS TRAINING AND PERMITTING ACT.**

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Upon motion of Senator Basnight, seconded by Senator McKissick, the Senate adjourns subject to ratification of bills, receipt of committee reports and messages from the House of Representatives, to meet Thursday, June 24, at 9:45 A.M.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

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

**S.B. 1445**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, DISSOLVING THE GOLDSBORO-WAYNE AIRPORT AUTHORITY, AND CREATING THE WAYNE AIRPORT AUTHORITY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 65085, which changes the title to read **S.B. 1445** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO AND THE GOLDSBORO-WAYNE AIRPORT AUTHORITY TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY, is adopted and engrossed.

### SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

**H.B. 1691** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS.

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

**H.B. 1741** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION

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OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Finance Committee**.

**H.B. 1874**, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN COURT COSTS APPLY FOR AMENDMENTS AND COUNTERCLAIMS IN CHAPTER 50B OF THE GENERAL STATUTES ACTIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary I Committee**.

**H.B. 2052**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT.

Referred to the **Finance Committee**.

**S.B. 1135** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, June 24, for concurrence.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:09 P.M.

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## ONE HUNDRED AND THIRTY-EIGHTH DAY

Senate Chamber  
Thursday, June 24, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

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

"Dear God, when young William Bunn entered the Senate Chamber yesterday dressed in a police uniform, his longtime dream became a reality when he was awarded an honorary membership in the Raleigh Police

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Department. In addition, Lieutenant Governor Dalton and Senator Basnight also made him an Honorary Senator. We were all moved. As his parents carried William out, I remembered the words of author Pearl S. Buck who said, 'The young do not know enough to be prudent and therefore they attempt the impossible, and achieve it generation after generation.' I also was comforted by the words of our Lord, 'Let the little children come to me and do not stop them, for it is to such as these that the kingdom of heaven belongs.' Thank you for coming our way and Godspeed, William Bunn. Amen."

The Chair grants leaves of absence for today to Senator Apodaca, Senator Blake, Senator Dorsett, Senator Goodall, Senator Graham, Senator Hoyle, and Senator Jenkins.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, 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 Barb Smith from Cary, 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:

**S.B. 1213** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Upon motion of Senator Clodfelter, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 29.

### ENROLLED BILLS AND RESOLUTIONS

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

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**S.B. 35**, AN ACT TO PROVIDE THAT TRANSFER FEE COVENANTS DO NOT RUN WITH THE TITLE TO REAL PROPERTY AND ARE NOT BINDING ON OR ENFORCEABLE AGAINST ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE.

**S.B. 66**, AN ACT TO PROVIDE A COMPREHENSIVE ARTS EDUCATION PLAN.

**S.B. 1198**, AN ACT TO DIRECT THE EDUCATION CABINET TO SET AS A PRIORITY AN INCREASE IN THE NUMBER OF POSTSECONDARY CREDENTIALS IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND TO SUPPORT EFFORTS TO ACHIEVE THAT PRIORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

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

**H.B. 1664**, AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK.

**H.B. 1716**, AN ACT TO ALLOW THE CITY OF HAMLET TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

**H.B. 1753**, AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING.

**H.B. 1956**, AN ACT TO CHANGE THE FORM OF GOVERNMENT FOR THE TOWN OF MARSHVILLE FROM MAYOR-COUNCIL TO COUNCIL-MANAGER.

**H.J.R. 1907**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LUCY T. ALLEN TO THE UTILITIES COMMISSION. (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:

**H.B. 636**, AN ACT TO GIVE CERTAIN LOCAL BOARDS OF EDUCATION ADDITIONAL FLEXIBILITY WITH REGARD TO

INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-10.)

**H.B. 766**, AN ACT TO CLARIFY THE PROTECTION PROVIDED BY THE NORTH CAROLINA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AGAINST FAILURE IN THE PERFORMANCE OF CONTRACTUAL OBLIGATIONS UNDER ANNUITY CONTRACTS BECAUSE OF THE DELINQUENCY OF THE MEMBER INSURER THAT ISSUED THE POLICIES. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-11.)

**H.B. 1694**, AN ACT TO ADD A LICENSED DENTIST TO THE COMMISSION ON CHILDREN WITH SPECIAL HEALTH CARE NEEDS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-12.)

**H.B. 1713**, AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-13.)

**S.B. 59**, AN ACT TO CLARIFY AN ORDER FOR THE PAYMENT OF ATTORNEYS' FEES IN ACTIONS FOR ALIMONY OR POSTSEPARATION SUPPORT. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-14.)

**H.B. 1710**, AN ACT TO PROVIDE AN EXPEDITED PROCESS BY WHICH THE MARINE FISHERIES COMMISSION MAY SUPPLEMENT FISHERY MANAGEMENT PLANS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-15.)

**S.B. 254**, AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS ABUSE, TORTURE, OR KILLING OF AN ANIMAL. (Became law upon approval of the Governor, June 23, 2010 - S.L. 2010-16.)

**S.B. 1146**, AN ACT TO VALIDATE CERTAIN CABARRUS COUNTY FIRE DISTRICT BOUNDARIES CHANGES DONE BY MOTION RATHER THAN ORDINANCE. (Became law upon ratification, June 23, 2010 - S.L. 2010-17.)

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The Chair orders a special message sent to the House of Representatives informing that Honorable Body that the Senate stands ready to receive the House of Representatives to sit in Joint Session pursuant to S.J.R. 1455.

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

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

House of Representatives  
June 24, 2010

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that pursuant to **S.J.R. 1455**, A JOINT RESOLUTION PROVIDING THAT THE GENERAL ASSEMBLY SHALL MEET IN JOINT SESSION TO HONOR THE DUKE UNIVERSITY MEN'S BASKETBALL TEAM FOR WINNING THE 2010 NCAA CHAMPIONSHIP, the House stands ready to assemble with your Honorable Body in Joint Session.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

Upon motion of Senator Dannelly, the Senate stands in recess to await the Members of the House of Representatives.

### **JOINT SESSION**

With Members of the Senate standing, the Members of the House of Representatives are received and the Joint Session is called to order by the Honorable Marc Basnight, President *Pro Tempore*.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Members of the Durham Delegation from the Senate and House of Representatives are appointed to escort the guests to the Well of the Senate.

### **RECOGNITION OF THE DUKE UNIVERSITY MEN'S BASKETBALL TEAM**

With unanimous consent, upon motion of Senator Dannelly, the privileges of the floor are extended to Coach Mike Krzyzewski, Steve Wojciechowski, Nate James, Chris Carrawell, Chris Spatola and Mike Cragg. The Escort Committee from the Senate and House of Representatives are recognized to escort the guests to the Well of the Senate.

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**CALENDAR**

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

**S.J.R. 1456**, A JOINT RESOLUTION HONORING THE DUKE BLUE DEVILS ON WINNING THE 2010 NATIONAL BASKETBALL CHAMPIONSHIP.

Upon motion of Senator Blue, the joint resolution is read in its entirety and, upon motion of Senator Shaw, the remarks of the members and Coach Krzyzewski, are spread upon the Journal, as follows:

**Senator Blue:**

(Senator Blue's comments are inaudible due to a microphone failure.)

**Senator McKissick:**

"Coach K has been a remarkable coach. His prominence in basketball coaching is just preeminent. Even when it came time for the Olympic team, they looked to Coach K to provide that leadership. But when we look at Durham and our community and what he has done, what Duke University has done, they are our largest employer. They are the largest land owner in Durham. But most importantly, as an institution, they've shown a great deal of leadership, compassion, sensitivity in building bridges in our community and helping revitalize our down town. When Jim Goodman was ready to go forth with the American Tobacco project and they looked for persons within the Duke community to help us, Duke University came forth and provided those lease commitments. When we look at what Coach K has done, in addition to just his work on behalf of Duke, he has gone out into our community and built the Emily Krzyzewski Family Life Center, one which serves our entire community where people can come on a regular on-going basis and receive services. He shows a unique sensitivity. But more importantly, when it comes to the athletes that have worked with him, he makes them and causes them to understand that he expects excellence not just on the basketball court, but he expects excellence in terms of academic scholarship and that is reflected in the graduation rates of those players that are part of the Duke team. People like Christian Laettner and Brian Davis who went on to form Blue Devil Ventures, who helped transfer our downtown. There are many, many others. Tommy Amaker, during the time he was there, a good friend of mine, who received the type of skills as a result of working with such an accomplished individual. Coach K and Duke have brought a heightened level of his ability to Durham, a heightened level of prominence to our community and a heightened level of pride to the State of North Carolina. And for those things I thank you as an individual because of your vigilance and your commitment and because you set high goals and standards that we can all feel proud of. Continue that leadership and continue to energize those individuals that come to you that you are so affective in

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recruiting as a part of a talented base. Thank you for your insight, thank you for your leadership, thank you for nurturing their talents and thank you for providing a core of individuals which succeeds not only on the basketball courts but in whatever fields of life they choose to walk in. For those things we will be forever indebted to you for your service. I hope we can keep you there as long as possible. We have you under a lifetime contract, that doesn't make you an indentured servant, but it does represent the fact that we know that you are an integral part of our success, not just on the basketball court, not just as part of the university, but as a part of our community."

**Senator Allran:**

"Ladies and gentlemen of the House and Senate, Coach K and the team, this isn't the first time I've had the privilege of being here to witness this wonderful event. I was also here in the State Senate in 1991, 1992, and 2001. I remember last time it was such a wonderful event and I look forward to having that event occur again and it is today and is just as wonderful this time as it was last time. What I said before was and I'll say it again, the Duke team is such a class team and Coach K you are such a class coach and when we watch you all on TV or go to the games we're so proud of you. The whole State is. I had the privilege of being at Duke from 1970 to 1974. My grandfather was there and graduated in 1916. My sister was there the same time I was and I had a number of other less closely related family members who went to Duke so the school means a whole lot to me. I would just like to say this. One of the great goals I had in my life was to become a Member of the General Assembly and I have accomplished that. Before that, one of my goals in life was to go to Duke and I accomplished that. The other goal I have for right now is I really would like to have my picture made with Coach K. So I would really appreciate it if he would stick around long enough after this and I will feel that I have accomplished goal number three. Thank you very much."

**Senator Atwater:**

"Coach Krzyzewski, we are so appreciative to have this opportunity to recognize you, your coaches, as well as your team. We are excited still about the National Championship in basketball. I thought, sir, that when we all met in the Governor's Mansion it was significant to me that the great Jerry West, even he had to look up to the players even though they were on the staircase, but he said something to the effect, and it was by way of compliment, he said 'You know, I think there must have been a game or two, that I really didn't think you could win.' And I thought to myself, for the great Jerry West to be convinced, what a compliment and to win those kinds of games requires exceptional leadership that you and your coaches provide. You have exceptional talent and sometimes that talent varies from year to year, but the principles that you teach come through. They came through in an exquisite way and we are all so proud of you and continue to be proud of you. I would like to conclude my remarks by expressing appreciation for all of Duke athletics and what it has meant to us and the level of excellence they bring to the scene in North Carolina and Coach

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Krzyzewski, if you would convey to President Brodhead as well as Duke's Chancellor for Health Affairs, Dr. Victor Dzau, our appreciation in historically continuing the tremendous impact that Duke people and Duke programs have upon our State, our Nation and indeed the World in areas of arts, science, medicine and the wonderful sports program that you've had there and the tradition you have established and the model that you are to all of us. Thank you very much."

**Senator Kinnaird:**

"As you know, I represent another University down the road a piece that also had its championship. And during the championship, the finals, when people asked me if I were rooting for Butler, I said, 'No. I am proud that a North Carolina team representing us so well is there and all the eyes are focused on North Carolina.' Thank you."

**Senator Albertson:**

"Coach K, I rise to congratulate you and your team on your great achievements and all that you have done in bringing those great honors to our people and no doubt all of us recognize that Duke University is one of the best in the Nation, possibly one of the best in the World. And while I must tell you, I did not go to college and the people who know me already recognize that, but all my children and all my grandchildren went to Chapel Hill, for what that's worth. While we all admire your great accomplishments that you have brought through the basketball program, one of the things I find so interesting and so important begins on line 32 of the resolution. 'Whereas each year, Duke University is recognized as one of the Nation's best academic institutions and its basketball program continues to have one of the highest graduation rates for its athletes.' And I commend you for that as well, sir."

**Senator Basnight:**

"Coach K, I have to use the 'K' word as Members in this Body, both Chambers, realize I do not speak the English language very well, so I would stumble with your last name. But my commitment to our flag and our Country, I only wish was as strong as yours. I wrote a letter some years ago to all the coaches in the public Universities of North Carolina making them aware of the United States law that says, 'When the pledge of allegiance and the colors are posted, you shall cover your heart or if in uniform, you shall salute.' I did that after noticing at a game that all your players and all your coaches would cover. I also noticed that other players on other teams would not do so. Having served in the Army, you committed your life to making life more prosperous for all people you contacted. Your understanding of the freedoms in America to speak, to be whatever you want to be, is something I admire a great deal. There is a person in here who coached you in the Army on a softball team. He has that softball that you signed as a team member at that time. He said you were very good at softball. He offered you an opportunity to command an artillery group in the Army. You told him you wanted to coach the Army basketball team. That Colonel is from Eden. His nephew works for me. He said that you were one of

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the greatest students and cadets that the Army had. You have proven to America, to North Carolina, to Durham, to the World that you truly are one of the greatest coaches and people of any sport and any Country in the World. We are proud that you are here and that you remain committed to the flag, the Country, and the purpose of what is right and good in our Country. God bless you.”

**Coach Krzyzewski:**

“Well, this is an unexpected honor! I want to pass a whole bunch of stuff! I love it that you keep score where everybody can see it. I don’t get a lot of texts, but I just got texts from six lobbyists saying that they didn’t know that I could get a vote just for a picture. I might have to talk to you a little bit before we do the picture. I would like to introduce Colonel Dillon. Colonel Dillon was my commanding officer in Korea. It was more than just a softball team. He was in charge of an artillery unit right near the DMZ in Korea. I was assigned to Colonel Dillon’s command and I was also a member of the armed forces basketball team at that time. I knew I was going to be there, I was going to be called in different spots. He taught me an amazing leadership lesson. He said, ‘I understand your passion, I would like for you to be this artillery officer. I think you could do good things in the Army.’ I said, ‘Sir, I appreciate that, but I want to be a really good coach. But I promise you that every second I’m under your command, you got a guy that’s going to give you a hundred percent.’ And he allowed me to do this and I’ll remember that and he and I have been life-long friends. So Colonel Dillon, thank you so much for doing that. You know I feel like I’m retiring with all the nice things said and I’m here to announce that I’m not doing that. I’m still a young guy. At sixty-three, I’m ready to roll for a few more years, at least. But those were the nicest things that have ever been said to me in Raleigh. Definitely in Chapel Hill, also. I’m really thinking that we should have a resolution that says that when the Duke team comes and plays in Raleigh or Chapel Hill, this should be the introduction. It’s not unanimous! It’s an honor for us to be here. I’ve lived in North Carolina for thirty years. This is my home. It will always be my home and the home of the Krzyzewski family. It’s not an English word, by the way, so don’t worry about it. I’m not sure what it is. I just got it and I stuck with it. I have three beautiful daughters and their husbands live here and all seven of my grandchildren have been born in North Carolina. We just got back from a week and a half down at Figure-Eight Island and the beautiful beaches. We have such a beautiful State, whether it be the beaches, the mountains, the trees, but the most beautiful thing about our State are the people. We have the best people. I’ve said for the entire time that I’ve lived here and had the honor to coach at Duke and live in Durham, that I not only coach at Duke University, I live in Durham. I love Durham. I love the State of North Carolina. For us in this State to have four National Championships in the last ten years, sets us apart. That’s a visible way it sets us apart, but I think North Carolina is setting itself apart from the rest of the Country in many different ways. Dan spoke about a quote from Grant Hill

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about deer leading the lions, and the lions leading deer. I don't know what the heck I was, but I don't think I'm a lion or a deer. The deer usually eat my pansies at my house and I don't want to be one of them. I'm always chasing them away with my Lab. By the way, I have a yellow Lab named Blue. I'm not saying what color, but it's true blue. That's his name. I tell you what, sometimes with the team, like some people have said about our team that we weren't the most talented. Just like in our State there are visible talents or visible resources that you see. You can see a guy jump, you can see him run real fast, you can see how big they are, but it's what you don't see a lot of times. The resources you don't see or the character traits that you don't see that really make you a team. That's what happened with our team this year. There's not a better kid in the whole world than Jon Scheyer. Everyday for four year was an honor and a joy to coach him. He never had a bad day. Just imagine being around someone who never has a bad day and Brian Zoubek, a kid who overcame two broken feet and I did a first. The first guy I ever allowed to have a beard. I never thought Brian would start, so when he came back from summer vacation last year, I thought he would come off the bench and I'm a big baseball fan, so I said he's going to be like a relief pitcher. And you know those relief pitchers, a lot of them, they don't look very good. They have beards and mustaches, bad breath, they spit on balls, they always try to hide the fact that they can't throw it 95 miles per hour, but they look like they could throw it a 105 miles per hour. So I said, 'Brian, you keep your beard, I want you to look tough and don't brush your teeth.' No, I did tell him to brush his teeth. And Brian and Lance Thomas did something, because we thought the Plumlees would start and everyday Steve Wojciechowski would work with our big guys and Brian and Lance would help Miles and Mason get better and as a result of helping them get better, they got better. They got so much better that they started and that spirit of cooperation is really something that I've seen in our State and I want you to know that just speaking for Duke University, we love being on a North Carolina team. We are part of this State's team. When we go some place, we're Duke University from North Carolina. And a lot of times in figuring out how a team can maximize its potential, you have to understand the qualities and understand the resources that you have. I just would like to say on behalf of Duke, we have a lot of resources that can be used, an amazing number of resources that can be used because we are an international institution. There are so many really outstanding people at Duke and they are all willing to help make this State better. So as you are trying to figure out what this North Carolina team does, understand that you have a player in Duke University that is willing to accept any role, whether it be a lead role, a starting role, coming off the bench, or if we don't get into a game but if we can cheer for whoever is doing it, we're willing to accept all those types of roles. Understand that it is our responsibility. My son-in-law, Chris Spatola, who is director of basketball operations, we're both West Point graduates and at West Point one thing that we all have in common is that we all take a lifetime oath of service to our Country. I want to thank you all for your service to our Country and to this great State.

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Let's have a willingness of working together to make dreams come true for the people in our State. In the city of Durham we have a center called the Emily Krzyzewski Center, named after my mom. Right now we serve about one hundred and twenty kids in after-school programs and our motto is 'Dream, do and achieve.' There are a lot of people in our State who don't have the ability to dream. You may find that difficult to believe, but that's happening. There are a lot of people, not just kids, in our State who don't have the opportunity to dream and so the purpose of our center is to teach them how to do that. To give them the resources to do that because they have the ability, they just haven't had the opportunity. Once they do that, they achieve. Basically that's what should happen in our State. We are all responsible to run this State which is a massive job. It's a massive undertaking. But in doing that we are also responsible for creating a climate or atmosphere that's conducive to every person who is in our State to have the ability to dream and to help them to do that so that we as a State can achieve. I commend you for what you are doing in that regard and I implore you to always use Duke University in whatever role you think is necessary to help achieve those lofty ambitions. My feeling is why not have lofty ambitions? If we are going to do this, we might as well win, right? We're not just sitting around saying aye and nay, we are trying to win and this State is the best State of all the fifty states and it keeps growing and it keeps getting better. Again, thank you for honoring us in such a great way today. Believe me it is most appreciated and, again, please use us as Duke University in whatever way you think will help our great State. Thank you very much."

The joint resolution passes its second reading (43-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

The President relinquishes the gavel to Speaker Hackney who calls the House of Representatives to order. The House passes S.J.R. 1456 sitting in Joint Session and the resolution is ordered enrolled.

*Upon the appearance of Senator Apodaca in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

#### **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. 1456, A JOINT RESOLUTION HONORING THE DUKE BLUE DEVILS ON WINNING THE 2010 NATIONAL BASKETBALL CHAMPIONSHIP. (Res. 16)**

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Upon motion of Representative Owens, seconded by Senator Dannelly, the Joint Session is dissolved at 10:57 A.M.

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

*The Chair grants a leave of absence for the remainder of today's session to Senator Jacumin.*

**CALENDAR** (*continued*)

**H.B. 337**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 38, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goss, Hartsell, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell and Tillman---38.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, June 29, upon third reading.

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 39, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goss, Hartsell, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell and Tillman---39.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, June 29, upon third reading.

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Snow, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 29.

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**S.B. 1445** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GOLDSBORO AND THE GOLDSBORO-WAYNE AIRPORT AUTHORITY TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY.

The Committee Substitute bill passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**H.B. 1673** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES.

The Committee Substitute bill passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 1135** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, upon second reading for concurrence.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill on its second 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Dannelly, Davis, Dickson, East, Foriest, Forrester, Garrou, Goss, Hartsell, Hunt, Jacumin, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: None.

The House Committee Substitute bill remains on the Calendar for Tuesday, June 29, for concurrence upon third reading.

**S.B. 181**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE FROM FIFTY-FOUR YEARS OF AGE TO SIXTY-FIVE YEARS OF AGE.

The bill passes its second reading (43-0).

Senator Shaw offers Amendment No. 1 which is adopted (43-0).

Without objection, the bill, as amended, is read a third time and passes its third reading (43-0) and is ordered engrossed and sent to the House of Representatives by special message.

**S.B. 1199** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A

REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY.

The Committee Substitute bill passes its second reading (42-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Upon motion of Senator Snow, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 29.

**S.B. 1392**, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

The bill passes its second reading (42-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM.

Upon motion of Senator Dickson, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, June 29.

**H.B. 901** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP OR IDENTIFY ACADEMICALLY RIGOROUS HONORS-LEVEL COURSES IN HEALTHFUL LIVING EDUCATION THAT CAN BE OFFERED AT THE HIGH SCHOOL LEVEL.

The Committee Substitute bill No. 2 passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE ALL MILITARY WARTIME VETERAN SPECIAL PLATES BASED ON DEFINED PERIODS OF WAR.

The Committee Substitute bill passes its second reading (43-0) and, without

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objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1676**, A BILL TO BE ENTITLED AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1683**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The bill passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1692** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION.

The Senate Committee Substitute bill passes its second reading (41-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1693** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION.

The Senate Committee Substitute bill passes its second reading (41-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1698** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The Committee Substitute bill passes its second reading (41-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

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**H.B. 1734** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO LOCATE AND ACQUIRE RIGHTS-OF-WAY FOR THE PRESENT OR FUTURE RELOCATION OR INITIAL LOCATION OF DISTRIBUTED ANTENNA SYSTEMS (DAS) AS PERMITTED BY LOCAL ZONING.

The Senate Committee Substitute bill passes its second reading (41-0).

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 29, upon third reading.

**H.B. 1998**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE RECIPROCITY FOR SERVICE IN THE OPTIONAL RETIREMENT PROGRAM FOR MEMBERS OF THE TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM.

The bill passes its second reading (41-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 2054** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

The Committee Substitute bill passes its second reading (41-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

June 24, 2010

**S.B. 595** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON STATE ROADS WITHIN MUNICIPAL LIMITS, for concurrence.

Upon motion of Senator Stevens, the Senate concurs in the House Committee Substitute bill No. 2, (41-0) and the bill is ordered enrolled and sent to the Governor.

#### **BILLS SENT BY SPECIAL MESSAGE**

Upon motion of Senator Dannelly, and without objection, all bills are ordered sent to the House of Representatives by special message, unless there is an objection to third reading.

Upon motion of Senator Dannelly, seconded by Senator Rucho, the Senate adjourns subject to receipt of committee reports and receipt of messages from the House of Representatives, to meet Monday, June 28, at 7:00 P.M.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Shaw for the **Transportation Committee**:

**H.B. 1729** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE DATE OF EXPIRATION OF A COMMERCIAL DRIVERS LICENSE; CLARIFY THE WORDING OF A SPECIAL LICENSE PLATE ON A VEHICLE OVER SIX THOUSAND POUNDS; PROHIBIT SPECIFIED LICENSE PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY USE OF REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN FREE LICENSE PLATES; CLARIFY THE FEE FOR A SPECIAL PLATE ON A PROPERTY HAULING VEHICLE; ELIMINATE THE FEE FOR REGISTRATION RENEWAL BY MAIL; AMEND REQUIREMENT FOR SEPARATE REGISTRATION OF LOGGING TRUCKS; MODIFY APPLICATION OF LIGHT-TRAFFIC ROAD LIMITATIONS AND PENALTIES; AUTHORIZE INCIDENT MANAGEMENT ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; EXTEND APPLICABILITY OF THE MOVE OVER LAW TO VEHICLES BEING USED TO RESTORE ELECTRIC UTILITY SERVICE DUE TO AN UNPLANNED EVENT; MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR HIGHWAY SHOULDERS; PROVIDE THAT FAILURE TO COMPLY WITH THE LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING, SUSPENDING, OR REVOKING A DEALER LICENSE; SPECIFY THAT THE YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC

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CONTROL PHOTOGRAPHIC SYSTEM BE SET OUT IN A TRAFFIC SIGNAL PLAN SIGNED AND SEALED BY A PROFESSIONAL ENGINEER; CHANGE THE LAW CONCERNING REMOVAL OF ABANDONED VEHICLES FROM STREETS AND HIGHWAYS IN MUNICIPALITIES, EXEMPT HAULERS OF ANIMAL WASTE USED IN AGRIBUSINESS FROM THE WEIGHT RESTRICTIONS ON STATE ROADS, AND CLARIFY REQUIREMENTS FOR DOT INSPECTION PROGRAM CALL CENTER, 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 50951, is adopted and engrossed.

Upon motion of Senator Shaw, the Senate Committee Substitute bill is referred to the **Finance Committee**.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 4:21 P.M.

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### ONE HUNDRED AND THIRTY-NINTH DAY

Senate Chamber  
Monday, June 28, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, we begin this week in the Senate grateful for the substantial progress made over the weekend by our Senate conferees and their counterparts from the House on the budget. One of holy scriptures beatitudes says, 'Blessed are the peace makers.' On first reading that's not an impressive statement. But after hours of heated debate, the Members here know making peace is very hard work, thus the praise from holy scripture and from you. Amen."

The Chair grants leaves of absence for tonight to Senator Apodaca, Senator Blake, Senator Blue, Senator Boseman, Senator Clary, Senator East, Senator Forrester, Senator Garrou, Senator Goodall, Senator Jacumin, Senator Jenkins, Senator Rucho, Senator Shaw, and Senator Stein.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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.

June 28, 2010

*The Chair extends privileges of the floor to Linda D. O'Boyle from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.*

#### WITHDRAWAL FROM COMMITTEE

**S.J.R. 1302**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARGARET TAYLOR HARPER, FORMER CANDIDATE FOR LIEUTENANT GOVERNOR, referred to the **Rules and Operations of the Senate Committee** on May 20.

Pursuant to Rule 47(a), Senator Hoyle 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, June 30, 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, June 30.

**S.J.R. 1391**, A JOINT RESOLUTION HONORING THE TWO HUNDRED THIRTY-THIRD ANNIVERSARY OF CASWELL COUNTY, referred to the **Rules and Operations of the Senate Committee** on May 26.

Pursuant to Rule 47(a), Senator Hoyle 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, June 30, 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, June 30.

#### 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. 595**, AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON STATE ROADS WITHIN MUNICIPAL LIMITS.

**H.B. 901**, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP OR IDENTIFY ACADEMICALLY RIGOROUS HONORS-LEVEL COURSES IN HEALTHFUL LIVING EDUCATION THAT CAN BE OFFERED AT THE HIGH SCHOOL LEVEL.

**H.B. 1143**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE ALL MILITARY WARTIME VETERAN SPECIAL PLATES BASED ON DEFINED PERIODS OF WAR.

June 28, 2010

**H.B. 1676**, AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

**H.B. 1683**, AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

**H.B. 1698**, AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**H.B. 1998**, AN ACT TO AUTHORIZE RECIPROCITY FOR SERVICE IN THE OPTIONAL RETIREMENT PROGRAM FOR MEMBERS OF THE TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM.

**H.B. 2054**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

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

**S.B. 1356**, AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND.

**H.B. 1673**, AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES.

#### 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. 1664**, AN ACT AMENDING THE CHARTER OF THE CITY OF BREVARD TO AUTHORIZE THE CITY MANAGER TO APPOINT THE CITY CLERK. (Became law upon ratification, June 24, 2010 - S.L. 2010-18.)

**H.B. 1716**, AN ACT TO ALLOW THE CITY OF HAMLET TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS. (Became law upon ratification, June 24, 2010 - S.L. 2010-19.)

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**H.B. 1753**, AN ACT TO ALLOW SCHOOL BUSES AND ACTIVITY BUSES TO CROSS CERTAIN RAILROAD GRADE CROSSINGS WITHOUT FIRST STOPPING. (Became law upon ratification, June 20, 2010 - S.L. 2010-20.)

**H.B. 1956**, AN ACT TO CHANGE THE FORM OF GOVERNMENT FOR THE TOWN OF MARSHVILLE FROM MAYOR-COUNCIL TO COUNCIL-MANAGER. (Became law upon ratification, June 24, 2010 - S.L. 2010-21.)

**S.B. 992**, AN ACT TO AMEND AND CLARIFY THE PYROTECHNICS TRAINING AND PERMITTING ACT. (Became law upon approval of the Governor, June 25, 2010 - S.L. 2010-22.)

### INTRODUCTION OF BILLS AND RESOLUTIONS

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

By Senator Allran:

**S.J.R. 1457**, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CHANGING DEMOGRAPHICS IN THE STATE'S COMMUNITY COLLEGE AND UNIVERSITY SYSTEMS.

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

By Senator Jones:

**S.B. 1458**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CHANGES TO THE RULE GOVERNING PARTICULATES FROM FUGITIVE DUST EMISSION SOURCES.

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  
June 24, 2010

Mr. 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. 466** (Committee Substitute), A BILL TO BE ENTITLED AN ACT

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DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ROLE OF THE BOXING ADVISORY COMMISSION IN REGULATING BOXING AND OTHER RELATED ARTS, and requests conferees.

Speaker Hackney has appointed:

Representative Tolson, Chair,  
Representative Brubaker,  
Representative Coates, and  
Representative Howard

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

**S.B. 836** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE

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COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89, for concurrence in the House Committee Substitute bill No. 3.

The House Committee Substitute bill No. 3 is placed on the Calendar for Tuesday, June 29, for concurrence.

**S.B. 1191** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, June 29, for concurrence.

**S.B. 1193** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, June 29, for concurrence.

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

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

**H.B. 1708**, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO DECEMBER 1, 2010, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**H.B. 1778**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT

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TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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

**H.J.R. 1790**, A JOINT RESOLUTION HONORING THE FOUNDERS OF TRANSYLVANIA COUNTY ON THE OCCASION OF THE COUNTY'S ONE HUNDRED FIFTIETH ANNIVERSARY.

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

**H.B. 1804** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENERGY POLICY COUNCIL TO IDENTIFY, STUDY, AND RECOMMEND POLICIES TO INCREASE ENERGY EFFICIENCY AND CONSERVATION, PROMOTE RENEWABLE ENERGY RESOURCES, AND REDUCE CARBON EMISSIONS, AS RECOMMENDED BY THE LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE.

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

**H.J.R. 1901**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GEORGE MILTON HOLMES, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

**H.J.R. 1908**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ERNEST HERTFORD "E.H." BISHOP, JR.

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

**H.B. 1920** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE RESOURCES DEVELOPMENT COMMISSION OF BRUNSWICK COUNTY.

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

**H.J.R. 2076**, A JOINT RESOLUTION HONORING NORTH CAROLINIANS WITH DISABILITIES AND THEIR ADVOCATES AND HONORING THE TWENTIETH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT.

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. 1801** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE

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ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**H.B. 1802** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**H.B. 1921** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO.

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

#### WITHDRAWAL FROM COMMITTEE

**H.J.R. 2076**, A JOINT RESOLUTION HONORING NORTH CAROLINIANS WITH DISABILITIES AND THEIR ADVOCATES AND HONORING THE TWENTIETH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT, referred to the **Rules and Operations of the Senate Committee** earlier tonight.

Pursuant to Rule 47(a), Senator Hoyle 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, June 30, 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, June 30.

#### CALENDAR

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

**S.J.R. 1301**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF W. HORACE CARTER, PULITZER PRIZE WINNING PUBLISHER.

The joint resolution passes its second reading (34-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

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**S.J.R. 1454**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BETTY HUTCHINSON WISER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

The joint resolution passes its second reading (34-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Queen, the Chair extends the courtesies of the gallery to Joe and Laretta Parker, long-time friends of Representative Wisser.

The Chair also extends courtesies to Representative Wisser's son, Lieutenant Colonel Conrad Wisser, serving in the United States Army in Wiesbaden, Germany, and his daughter, Carla, in Arlington Virginia, who are listening over the internet.

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

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

**H.J.R. 1900**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SERGEANT MICKEY HUTCHENS, FALLEN WINSTON-SALEM POLICE OFFICER.

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

The joint resolution passes its second reading (33-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

The Chair extends courtesies of the gallery to Beth Hutchens, his wife; Leah Hutchens, his daughter; Corey Mitchell and Preston Whicker, his nephews.

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

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

**H.J.R. 2077**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF NEW BERN ON THE OCCASION OF THE CITY'S THREE HUNDREDTH ANNIVERSARY.

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

The joint resolution passes its second reading (32-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

The Chair extends courtesies of the gallery to guests from New Bern.

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**SENATE PAGES**

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

Cierra Accor, Gastonia; Lillian Badgett, Statesville; Tori Boddie, Cary; Kayla Brooks, Raleigh; Davis Bryson, Raleigh; Griffin Buskill, Charlotte; Chandler Caldwell, Gastonia; Taylor Carey, Cary; Cameron Castleberry, Raleigh; Matt Craigle, Cary; Alyssa Crotser, Manteo; Margot de St. Aubin, Siler City; Bryant Dowd, Raleigh; Kalie Eppley, Boone; Haley Ezzell, Harrells; Pherica Gardin, Gastonia; Zach Goldman, Cary; Rebecca Hawthorne, Raleigh; Amythest McPhail, Goldsboro; Tyrece Meeks, Gastonia; Deanne Metivier, Apex; Katya Mordhorst, Almond; Wyatt Peterson, Greensboro; Matthew Quesenberry, Raleigh; Harry Riegel, Cary; Vivlica Rodgers, Washington; Katherine Selix, Marvin; Thomas Sigmon, Raleigh; Jessi Smith, Cary and Aja White, Gastonia.

Upon motion of Senator Dannelly, seconded by Senator Hunt, the Senate adjourns subject to receipt of Conference Reports, to meet Tuesday, June 29, at 3:00 P.M.

**CONFERENCE REPORT**

Senator Dannelly, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 897** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, 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 897, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 BY ADJUSTING APPROPRIATIONS FOR THE 2010-2011 FISCAL YEAR; TO CONFORM TO CHANGES MADE IN THE INTERNAL REVENUE CODE; TO EXTEND AND ENHANCE THE TAX CREDIT FOR INVESTMENTS IN QUALIFIED

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BUSINESS VENTURES; TO EXTEND THE TAX CREDIT FOR SMALL BUSINESSES THAT PROVIDE HEALTH INSURANCE TO THEIR EMPLOYEES; AND TO PROVIDE FOR A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS, House Committee Substitute #2 Favorable 6/2/10 Sixth Edition Engrossed 6/4/10, submit the following report:

The Senate concurs in the House Committee Substitute #2 Favorable 6/2/10, Sixth Edition Engrossed 6/4/10, with an amendment:

Delete the entire House Committee Substitute #2 Favorable 6/2/10, Sixth Edition Engrossed 6/4/10, and substitute the attached Proposed Conference Committee Substitute S897-PCCS35479-LExf-4.

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

Date Conferees approved report: June 28, 2010.

*Conferees for the Senate*

S/Linda Garrou, Co-Chair  
 Charles W. Albertson, Co-Chair  
 S/Charlie Smith Dannelly, Co-Chair  
 S/A. B. Swindell, Co-Chair  
 S/Bob Atwater  
 S/Marc Basnight  
 S/Doug Berger  
 S/Stan Bingham  
 S/Dan Blue  
 Julia Boseman  
 Daniel G. Clodfelter  
 S/Don Davis  
 S/Margaret Highsmith Dickson  
 S/Katie G. Dorsett  
 S/Tony Foriest  
 Steve Goss  
 S/Malcolm Graham  
 S/Fletcher L. Hartsell, Jr.  
 S/David W. Hoyle  
 S/Clark Jenkins  
 S/Ed Jones  
 S/Eleanor Kinnaird  
 S/Floyd B. McKissick, Jr.  
 S/Martin L. Nesbitt, Jr.  
 S/William R. Purcell  
 S/Joe Sam Queen  
 Larry Shaw  
 S/John Snow

*Conferees for the House of Representatives*

S/Henry M. Michaux, Jr., Chair  
 S/Alma Adams, Chair  
 S/Martha B. Alexander, Chair  
 S/James W. Crawford, Jr., Chair  
 S/R. Phillip Haire, Chair  
 S/Maggie Jeffus, Chair  
 S/Joe P. Tolson, Chair  
 Douglas Y. Yongue, Chair  
 S/Paul Luebke, Chair  
 S/Pryor Gibson, Chair  
 S/William L. Wainwright, Chair  
 S/Jennifer Weiss, Chair  
 S/Hugh Holliman, Chair  
 S/Bill Owens, Chair  
 S/Bruce Goforth  
 S/Larry Womble  
 S/Deborah K. Ross  
 W. Robert Grady  
 S/Rick Glazier  
 S/Ray Rapp  
 S/Marian N. McLawhorn  
 S/Larry M. Bell  
 S/Marvin W. Lucas  
 S/Earline W. Parmon  
 S/Cullie M. Tarleton  
 Laura I. Wiley  
 S/Susan C. Fisher  
 S/Alice Graham Underhill

June 28, 2010

S/R. C. Soles, Jr.  
S/Josh Stein  
S/Richard Stevens  
S/Don Vaughan  
S/Michael P. Walters

S/Russell E. Tucker  
S/Jane Whilden  
Elmer Floyd  
Fred F. Steen, II  
Beverly M. Earle  
S/Bob England, M.D.  
S/Verla Insko  
S/Jean Farmer-Butterfield  
William D. Brisson  
S/Randy Stewart  
Jeff Barnhart  
S/Alice L. Bordsen  
S/Jimmy L. Love, Sr.  
S/Timothy L. Spear  
S/Ronnie Sutton  
S/Ray Warren  
S/Melanie Wade Goodwin  
Darren G. Jackson  
S/Annie W. Mobley  
Carolyn K. Justus  
S/Pricey Harrison  
S/Garland E. Pierce  
S/Edith D. Warren  
S/W. A. (Winkie) Wilkins  
S/Michael H. Wray  
Angela R. Bryant  
James H. Langdon, Jr.  
S/Nelson Cole  
S/Grier Martin  
S/Lorene Coates  
S/Rosa U. Gill  
S/Chris Heagarty  
S/John May  
Diane Parfitt  
S/Arthur Williams  
Jerry C. Dockham  
S/Dewey L. Hill  
S/Kelly M. Alexander, Jr.  
S/R. Van Braxton  
S/Becky Carney  
S/Tricia Ann Cotham  
S/Bill Faison  
S/Larry D. Hall  
S/Sandra Spaulding Hughes  
Julia C. Howard  
Daniel F. McComas  
Edgar V. Starnes

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(The full text of the Conference Committee Substitute can be found in the 2010 Session Laws-Chapter 2010-31.)

The Conference Report, which changes the title, is placed on the Calendar for Tuesday, June 29, for adoption upon second reading.

Pursuant to Senator Dannelly's motion to adjourn having prevailed, the Senate adjourns at 8:47 P.M.

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## ONE HUNDRED AND FORTIETH DAY

Senate Chamber  
Tuesday, June 29, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Prayer is offered by The Honorable Don Davis, Senator from Greene County as follows:

"As I was driving to the General Assembly this morning, I saw many American flags. I felt very proud. As I continued driving I came across a very small sign that contained these three words: 'Praise the Lord.' Simple reminders such as these should help us remember why we are here and why we serve. As we continue discussing the issues of our great State during these challenging times, it is my prayer that our decisions are illuminated and reflective of his glorying goodness and to this end I say, praise the Lord. Amen."

The Chair grants leaves of absence for today to Senator Blake and Senator Goodall.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Monday, June 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.

*The Chair extends privileges of the floor to Benjamin Mastridge from Franklinton, North Carolina, who is serving the Senate as Nurse of the Day.*

## 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:

June 29, 2010

**S.B. 1120**, AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT.

**S.J.R. 1301**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF W. HORACE CARTER, PULITZER PRIZE WINNING PUBLISHER. (Res. 17)

**H.J.R. 1900**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF SERGEANT MICKEY HUTCHENS, FALLEN WINSTON-SALEM POLICE OFFICER. (Res. 18)

**H.J.R. 2077**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF NEW BERN ON THE OCCASION OF THE CITY'S THREE HUNDREDTH ANNIVERSARY. (Res. 19)

**S.J.R. 1454**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BETTY HUTCHINSON WISER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 20)

#### 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. 1356**, AN ACT TO INCREASE THE MONTHLY BENEFIT TO MEMBERS OF THE WILKESBORO FIREMEN'S SUPPLEMENTAL PENSION FUND. (Became law upon ratification, June 28, 2010 - S.L. 2010-23.)

**H.B. 1673**, AN ACT TO HELP MUNICIPALITIES COLLECT DELINQUENT PROPERTY TAXES. (Became law upon ratification, June 28, 2010 - S.L. 2010-24.)

#### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 866** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RESPECTFUL RETIREMENT BY FIRE OF STATE FLAGS THAT ARE NO LONGER FITTING FOR DISPLAY, with a favorable report as to concurrence.

June 29, 2010

**S.B. 1115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION, 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, 85374, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1747** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, with a favorable report.

**H.B. 1748** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, with a favorable report.

#### **INTRODUCTION OF BILLS AND RESOLUTIONS**

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

By Senator Purcell:

**S.J.R. 1459**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE ALBEMARLE ELECTRIC SYSTEM.

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

June 29, 2010

By Senators Vaughan and Dorsett:

**S.J.R. 1460**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES R. TURNER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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  
June 28, 2010

Mr. 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. 1249**, A BILL TO BE ENTITLED AN ACT ESTABLISHING DEEP VEIN THROMBOSIS AWARENESS MONTH, and requests conferees.

Speaker Hackney has appointed:

Representative Goforth, Chair,  
Representative Brubaker, and  
Representative Gibson

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. 829** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE REAL ESTATE APPRAISAL MANAGEMENT COMPANIES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 30, for concurrence.

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**S.B. 887** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO: (1) MODIFY THE COMPUTER EQUIPMENT RECYCLING PLAN REQUIREMENTS AND ASSOCIATED FEE IMPOSED ON MANUFACTURERS; AND (2) MAKE FURTHER SUBSTANTIVE, CLARIFYING, TECHNICAL, AND CONFORMING AMENDMENTS TO THE LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Wednesday, June 30, for concurrence.

**S.B. 1151** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, June 30, for concurrence.

**H.B. 1726** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES.

Referred to the **Health Care Committee**.

**H.B. 1919** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN A PUBLIC-PRIVATE DEVELOPMENT PROJECT OUTSIDE THE DOWNTOWN AREA.

Referred to the **Finance Committee**.

**H.B. 1936**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM.

Referred to the **Finance Committee**.

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

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

**S.B. 1446**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES, with a favorable report.

**H.B. 710** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION, with a favorable report.

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

**H.B. 1736** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, with a favorable report.

**H.B. 1754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE AND MCDOWELL COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, with a favorable report.

**H.B. 1953** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010, with a favorable report.

Upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill is placed on today's Calendar.

**CALENDAR**

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

**S.B. 836** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE

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DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Hoyle, the House Committee Substitute bill No. 3 is withdrawn from today's Calendar and is re-referred to the **Judiciary II Committee**.

**H.B. 337**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, upon third reading.

The 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 1687**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE, upon third reading.

The 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, Blue, Boseman,

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Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill is ordered enrolled.

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Snow, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 30.

**S.B. 1135** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT, for concurrence in the House Committee Substitute bill upon third reading.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill on 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

**S.B. 1213** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

### RECOGNITION OF MISS NORTH CAROLINA

With unanimous consent, privileges of the floor are extended to Adrienne Core, Miss North Carolina 2010. Senator Blue, Senator Hunt, Senator Stein and Senator Stevens are appointed to escort her to the Well of the Senate. She is recognized to address the Senate.

The President recognizes the Committee to escort her from the Chamber.

### CALENDAR *(continued)*

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Upon motion of Senator Snow, the bill is withdrawn from today's Calendar and is placed on the Calendar for Wednesday, June 30.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Jones for the **State & Local Government Committee**:

**H.B. 1666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUMBER OF MEMBERS OF THE DAVIE COUNTY BOARD OF EDUCATION FROM SIX TO SEVEN AND CHANGE THE TERMS OF OFFICE FROM SIX YEARS TO FOUR YEARS, with a favorable report.

**H.B. 1772** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS, with a favorable report.

**H.B. 1821**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS, with a favorable report.

**H.B. 1910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF SHELBY TO INSPECT CLEVELAND COUNTY VEHICLES

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REQUIRING EMISSIONS AND SAFETY INSPECTIONS UNDER THE CITY'S SELF-INSPECTOR LICENSE, with a favorable report.

**H.B. 2056** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HAVE THE OFFICE OF CORONER IN RUTHERFORD COUNTY VACATED AT THE END OF THE CURRENT TERM, with a favorable report.

**H.B. 120** (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR PUBLIC FINANCING OF MUNICIPAL ELECTION CAMPAIGNS, 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 30538, which changes the title upon concurrence to read **H.B. 120** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE AUTHORIZATION OF THE TOWN OF CHAPEL HILL TO PROVIDE PUBLIC CAMPAIGN FINANCING FOR THAT TOWN'S MUNICIPAL ELECTIONS, is adopted and engrossed.

**H.B. 617** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT POTENTIAL CONFLICTS OF INTEREST BY PERSONS EMPLOYED BY THE STATE OR ACTING AS AGENTS OF THE STATE WITHIN LOCAL HEALTH DEPARTMENTS, 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 11146, which changes the title upon concurrence to read **H.B. 617** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL-TERRAIN VEHICLES TO BE USED BY DISABLED SPORTSMEN TO CROSS PUBLIC ROADWAYS, is adopted and engrossed.

#### **CALENDAR** *(continued)*

**H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM.

Senator Dickson offers Amendment No. 1 which is adopted (48-0), and changes the title, upon concurrence, to read **H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING

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THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, AND TO MAKE CONFORMING CHANGES.

Senator Davis offers Amendment No. 2.

The Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1734** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO LOCATE AND ACQUIRE RIGHTS-OF-WAY FOR THE PRESENT OR FUTURE RELOCATION OR INITIAL LOCATION OF DISTRIBUTED ANTENNA SYSTEMS (DAS) AS PERMITTED BY LOCAL ZONING.

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

**S.B. 1191** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

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**S.B. 1193** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill No. 2, (47-0) and the bill is ordered enrolled and sent to the Governor.

**H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, temporarily displaced earlier today with Amendment No. 2 pending.

Amendment No. 2 is adopted (47-0), and changes the title, upon concurrence, to read **H.B. 76** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, AND TO MAKE CONFORMING CHANGES AND TO ADOPT THE HONOR AND REMEMBER FLAG TO HONOR AND RECOGNIZE FALLEN MEMBERS OF THE ARMED FORCES.

The Senate Committee Substitute bill, as amended, passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

#### WITHDRAWAL FROM CALENDAR

**H.B. 1736** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, placed earlier on the Calendar for Wednesday, June 30.

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Senator Hoyle offers a motion that the bill be withdrawn from the Calendar for Wednesday, June 30, and re-referred to the **Judiciary II Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Wednesday, June 30, and re-refers the measure to the **Judiciary II Committee**.

**CALENDAR** (*continued*)

**S.B. 897** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, for adoption upon second reading.

Senator Shaw announces a pair vote. If Senator Goodall were present, he would vote "no"; Senator Shaw votes "aye".

Upon motion of Senator Garrou, the Conference Report is adopted on its second reading, by roll-call vote, ayes 31, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Boseman, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Garrou, Goss, Graham, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---31.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Brock, Brown, Brunstetter, Clary, East, Forrester, Hartsell, Hunt, Jacumin, Preston, Rouzer, Rucho and Tillman---16.

The Conference Report remains on the Calendar for Wednesday, June 30, for adoption upon third reading.

**H.B. 1953** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010, placed earlier on today's Calendar 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The Committee Substitute bill remains on the Calendar for Wednesday, June 30, upon third reading.

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 1717** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, AND TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, 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 60093, which changes the title upon concurrence to read **H.B. 1717** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD, is adopted and engrossed.

**WITHDRAWAL FROM CALENDAR**

**H.B. 1717** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, AND TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, placed earlier on the Calendar for Wednesday, June 30.

Senator Hoyle offers a motion that the bill be withdrawn from the Calendar for Wednesday, June 30, and re-referred to the **Finance Committee**, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the Calendar for Wednesday, June 30, and re-refers the measure to the **Finance Committee**.

**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**S.B. 1214**, A BILL TO BE ENTITLED AN ACT TO MAKE CORRESPONDING CHANGES TO THE MOTOR VEHICLES LAWS TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY

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ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION, TO REQUIRE DECLARED REGISTRATION LICENSE WEIGHT TO BE FOR THE MAXIMUM WEIGHT FOR ALL VEHICLES THAT ARE PROVIDED EXEMPTIONS UNDER G.S. 20-118, AND TO MODIFY THE STATUTE OF LIMITATION FOR CIVIL SUITS RELATED TO UNCOLLECTED CIVIL FINES THAT HAVE BEEN ASSESSED AND REMAIN OWED TO THE STATE CIVIL FINES AND FORFEITURES 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 75406, which changes the title to read **S.B. 1214** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CORRESPONDING CHANGES TO THE MOTOR VEHICLES LAWS TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION, TO REQUIRE DECLARED REGISTRATION LICENSE WEIGHT TO BE FOR THE MAXIMUM WEIGHT FOR ALL VEHICLES THAT ARE PROVIDED EXEMPTIONS UNDER G.S. 20-118, TO MODIFY THE STATUTE OF LIMITATIONS FOR CIVIL SUITS RELATED TO UNCOLLECTED CIVIL FINES THAT HAVE BEEN ASSESSED AND REMAIN OWED TO THE STATE CIVIL FINES AND FORFEITURES FUND, AND TO ALLOW LOCAL GOVERNMENTS TO REFUND UNUSED ASSESSMENTS, is adopted and engrossed.

**H.B. 1741** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES 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 50956, is adopted and engrossed.

**H.B. 1829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MILL REHABILITATION CREDIT; TO MAKE CHANGES TO THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY; TO ESTABLISH A CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY; TO LOWER THE SALES

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TAX COMPLIANCE BURDEN ON SMALL RETAILERS; TO RELIEVE THE ANNUAL REPORT COMPLIANCE BURDEN ON SMALL BUSINESS; TO REDUCE THE FRANCHISE TAX BURDEN ON CONSTRUCTION COMPANIES; AND TO IMPROVE THE TAX AND DEBT COLLECTION PROCESS, AS RECOMMENDED BY THE REVENUE LAWS STUDY 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 30539, which changes the title upon concurrence to read **H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND ENSURING THAT HOMEOWNERS ASSOCIATION RESTRICTIONS DO NOT PREVENT THE USE OF SOLAR ENERGY SYSTEMS, is adopted and engrossed.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1743** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, 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 50955, which changes the title upon concurrence to read **H.B. 1743** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP BASINWIDE HYDROLOGIC MODELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

**H.B. 1744** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE

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PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT PRACTICABLE FOR THE PROJECT TO PURSUE REGIONALIZATION BASED ON TOPOGRAPHY OR OTHER FACTORS SHALL BE GIVEN THE SAME PRIORITY FOR REGIONALIZATION AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, 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 70579, which changes the title upon concurrence to read **H.B. 1744** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT FEASIBLE TO REGIONALIZE SHALL BE GIVEN THE SAME PRIORITY AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, is adopted and engrossed.

**H.B. 1746** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO: (1) DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS; (2) DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN; AND (3) DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND

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WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, 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 60094, which changes the title upon concurrence to read **H.B. 1746** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS, DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN, AND DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE; AND (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE, is adopted and engrossed.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 666**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT DWI TREATMENT COURTS ARE A TYPE OF DRUG TREATMENT COURT UNDER THE DRUG TREATMENT COURT ACT, 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 50953, which changes the title upon concurrence to read **H.B. 666** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO PAY BILLS, INVOICES, SALARIES, OR OTHER CLAIMS BY ELECTRONIC PAYMENT OR ELECTRONIC FUNDS TRANSFER, is adopted and engrossed.

**H.B. 614** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE IMPROVEMENTS TO THE ABSENTEE VOTING LAWS, ESPECIALLY TO IMPROVE THE ABILITY OF MILITARY AND OVERSEAS VOTERS TO CAST TIMELY BALLOTS, 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 70580, which changes the title upon concurrence to read **H.B. 614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TREAT ONE APPLICATION BY A UNIFORMED VOTER FOR AN ABSENTEE BALLOT AS AN APPLICATION FOR ALL ABSENTEE BALLOTS FOR WHICH THE VOTER WOULD BE ELIGIBLE DURING THE SAME CALENDAR YEAR, is adopted and engrossed.

**H.B. 726** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON'S RECORD MAY BE EXPUNGED FOR A FIRST MISDEMEANOR OFFENSE COMMITTED WHEN THE PERSON WAS LESS THAN EIGHTEEN YEARS OLD EVEN THOUGH THE PERSON IS EIGHTEEN YEARS OLD OR OLDER AT THE TIME OF CONVICTION; TO PROVIDE THAT A PERSON'S RECORD MAY BE EXPUNGED FOR A FIRST MISDEMEANOR POSSESSION OF ALCOHOL OFFENSE COMMITTED WHEN THE PERSON WAS LESS THAN TWENTY-ONE YEARS OLD EVEN THOUGH THE PERSON IS TWENTY-ONE YEARS OR OLDER AT THE TIME OF THE CONVICTION; TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; AND TO PROVIDE THAT ANY PERSON OR ENTITY REQUIRED TO OBTAIN A CRIMINAL RECORD CHECK WOULD NOT BE DEEMED TO HAVE KNOWLEDGE OF OFFENSES EXPUNGED UNDER THE STATUTE, 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 11145, which changes the title upon concurrence to read **H.B. 726** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES RELATED TO EXPUNCTION OF RECORDS; TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; AND TO REQUIRE SEX OFFENDERS RESIDING IN THIS STATE TO REGISTER AS A SEX OFFENDER FOR CONVICTIONS OBTAINED OUTSIDE THIS STATE, is adopted and engrossed.

**H.B. 1412** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES RELATING TO NATIONAL GUARD COURTS-MARTIAL, 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, is adopted and engrossed.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 466** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, AND TO AUTHORIZE SPECIFIED TELEPHONE COMPANY CUSTOMER SATISFACTION CALLS.

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Pursuant to the message from the House of Representatives received June 24 that the House fails to concur in the Senate Committee Substitute bill for H.B. 466 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair; Senator Brunstetter; Senator Soles; Senator Stein; Senator Stevens; and Senator Vaughan 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. 620** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING REQUESTS OR DEVISES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT.

Pursuant to the message from the House of Representatives received June 22 that the House fails to concur in the Senate Committee Substitute bill for H.B. 620 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hartsell, Chair, Senator Atwater and Senator Swindell 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. 1249** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

Pursuant to the message from the House of Representatives received June 28 that the House fails to concur in the Senate Committee Substitute bill for H.B. 1249 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hoyle, Chair, and Senator Dickson 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 Albertson, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Wednesday, June 30, at 3:00 P.M.

#### CONFERENCE REPORT

Senator Rucho, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1260** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

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CONFORM STATE LAW WITH FEDERAL LAW REGARDING DISENTITLEMENT TO PURCHASE, OWN, POSSESS, OR CONTROL A FIREARM AFTER THE FELONY CONVICTION OF CERTAIN WHITE COLLAR CRIMINAL OFFENSES, 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 1260, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW WITH FEDERAL LAW REGARDING DISENTITLEMENT TO PURCHASE, OWN, POSSESS, OR CONTROL A FIREARM AFTER THE FELONY CONVICTION OF CERTAIN WHITE COLLAR CRIMINAL OFFENSES, Senate Judiciary I Committee Substitute Adopted 8/4/09, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute Adopted 8/4/09, 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 H1260-PCCS80642-SUf-2.

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

Date Conferees approved report: June 23, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Bob Rucho, Chair	S/R. Phillip Haire, Chair
S/Daniel G. Clodfelter	S/Ronnie Sutton
S/David W. Hoyle	S/Jimmy L. Love, Sr.
S/Martin L. Nesbitt, Jr.	S/Darren G. Jackson
	S/Paul Stam
	S/Shirley B. Randleman

The text of the attached Proposed Conference Committee Substitute, H1260-PCCS80642-SUf-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON CONVICTED ONLY OF A SINGLE NONVIOLENT FELONY AND NO VIOLENT MISDEMEANORS AND WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR A PERIOD OF AT LEAST TWENTY YEARS MAY PETITION THE COURT TO RESTORE THE PERSON'S FIREARMS RIGHTS IN THIS STATE SO THAT THE DISENTITLEMENT UNDER

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THE FELONY FIREARMS ACT DOES NOT APPLY AND ALSO TO AMEND THE FELONY FIREARMS ACT TO ALLOW EXCEPTIONS FOR CERTAIN WHITE COLLAR CRIME CONVICTIONS THAT ARE SIMILAR TO THE EXCEPTIONS ALLOWED UNDER FEDERAL LAW.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 54A of Chapter 14 of the General Statutes is amended by adding a new section to read:

**"§ 14-415.4. Restoration of firearms rights.**

(a) Definitions. – The following definitions apply in this section:

- (1) Firearms rights. – The legal right in this State of a person to purchase, own, possess, or have in the person's custody, care, or control any firearm or any weapon of mass death and destruction as those terms are defined in G.S. 14-415.1 and G.S. 14-288.8(c). The term does not include any weapon defined in G.S. 14-409(a).
- (2) Nonviolent felony. – The term nonviolent felony does not include any felony that is a Class A, Class B1, or Class B2 felony. Also, the term nonviolent felony does not include any Class C through Class I felony that is one of the following:
  - a. An offense that includes assault as an essential element of the offense.
  - b. An offense that includes the possession or use of a firearm or other deadly weapon as an essential or nonessential element of the offense, or the offender was in possession of a firearm or other deadly weapon at the time of the commission of the offense.
  - c. An offense for which the offender was armed with or used a firearm or other deadly weapon.
  - d. An offense for which the offender must register under Article 27A of Chapter 14 of the General Statutes.

(b) Purpose. – It is the purpose of this section to establish a procedure that allows a North Carolina resident who was convicted of a single nonviolent felony and whose citizenship rights have been restored pursuant to Chapter 13 of the General Statutes to petition the court to remove the petitioner's disenfranchisement under G.S. 14-415.1 and to restore the person's firearms rights in this State. If the single nonviolent felony conviction was an out-of-state conviction or a federal conviction, then the North Carolina resident shall show proof of the restoration of his or her civil rights and the right to possess a firearm in the jurisdiction where the conviction occurred. Restoration of a person's firearms rights under this section means that the person may purchase, own, possess, or have in the person's custody, care, or control any firearm or any weapon of mass death and destruction as those terms are defined in G.S. 14-

415.1 and G.S. 14-288.8(c) without being in violation of G.S. 14-415.1, if otherwise qualified.

(c) Petition for Restoration of Firearms Rights. – A person who was convicted of a nonviolent felony in North Carolina but whose civil rights have been restored pursuant to Chapter 13 of the General Statutes for a period of at least 20 years may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section. A person who was convicted of a nonviolent felony in a jurisdiction other than North Carolina may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section only if the person's civil rights, including the right to possess a firearm, have been restored, pursuant to the law of the jurisdiction where the conviction occurred, for a period of at least 20 years. The court may restore a petitioner's firearms rights after a hearing in court if the court determines that the petitioner meets the criteria set out in this section and is not otherwise disqualified to have that right restored.

(d) Criteria. – The court may grant a petition to restore a person's firearms rights under this section if the petitioner satisfies all of the following criteria and is not otherwise disqualified to have that right restored:

- (1) The petitioner is a resident of North Carolina and has been a resident of the State for one year or longer immediately preceding the filing of the petition.
- (2) The petitioner has only one felony conviction and that conviction is for a nonviolent felony. For purposes of this subdivision, multiple felony convictions arising out of the same event and consolidated for sentencing shall count as one felony only.
- (3) The petitioner's rights of citizenship have been restored pursuant to Chapter 13 of the General Statutes or, if the conviction was in a jurisdiction other than North Carolina, have been restored, pursuant to the laws of the jurisdiction where the conviction occurred, for a period of at least 20 years before the date of the filing of the petition.
- (4) The petitioner has not been convicted under the laws of the United States, the laws of this State, or the laws of any other state of any misdemeanor as described in subdivision (6) of subsection (e) of this section since the conviction of the nonviolent felony.
- (5) The petitioner submits his or her fingerprints to the sheriff of the county in which the petitioner resides for a criminal background check pursuant to G.S. 114-19.28.
- (6) The petitioner is not disqualified under subsection (e) of this section.

(e) Disqualifiers Requiring Denial of Petition. – The court shall deny the petition to restore the firearms rights of any petitioner if the court finds any of the following:

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- (1) The petitioner is ineligible to purchase, own, possess, or have in the person's custody, care, or control a firearm under the provisions of any law in North Carolina other than G.S. 14-415.1.
- (2) The petitioner is under indictment for a felony or a finding of probable cause exists against the petitioner for a felony.
- (3) The petitioner is a fugitive from justice.
- (4) The petitioner is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.
- (5) The petitioner is or has been dishonorably discharged from the armed forces.
- (6) The petitioner is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including a misdemeanor under Article 8 of Chapter 14 of the General Statutes, or a misdemeanor under G.S. 14-225.2, 14-226.1, 14-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-276.1, 14-277, 14-277.1, 14-277.2, 14-277.3, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6, 14-288.9, 14-288.12, 14-288.13, 14-288.14, 14-318.2, 14-415.21(b), or 14-415.26(d), or a substantially similar out-of-state or federal offense.
- (7) The petitioner has had entry of a prayer for judgment continued for a felony, in addition to the nonviolent felony conviction.
- (8) The petitioner is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would prohibit the person from having his or her firearms rights restored under this section.
- (9) An emergency order, ex parte order, or protective order has been issued pursuant to Chapter 50 B of the General Statutes or a similar out-of-state or federal order has been issued against the petitioner and the court order issued is still in effect.
- (10) A civil no-contact order has been issued pursuant to Chapter 50C of the General Statutes or a similar out-of-state or federal order has been issued against the petitioner and the court order issued is still in effect.

(f) Notice of Hearing and Hearing Procedure. – The clerk of court shall provide notice of the hearing to the district attorney in the district in which the petition is filed at least four weeks before the hearing on the matter. The petitioner may present evidence in support of the petition, and the district

attorney may present evidence in opposition to the requested restoration of firearms rights or may otherwise demonstrate the reasons why the petition should be denied. The burden is on the petitioner to establish by a preponderance of the evidence that the petitioner is qualified to receive the restoration under subsection (d) of this section and that the petitioner is not disqualified under subsection (e) of this section.

(g) Right to Petition Again Upon Denial of Petition. – If the court denies the petition, the person may again petition the court for restoration of his or her firearms rights in accordance with this section one year from the date of the denial of the original petition. However, if the sole basis for the denial of the petition are the grounds set out under G.S. 14-415.4(e)(9) or (10), then the person does not have to wait for one year from the date of denial of the original petition but may petition again upon the expiration of the order.

(h) Certified Copies of Order Granting Petition to Sheriff. – Department of Justice, and national instant background check system index. – If the court grants the petition to restore the petitioner's firearms rights, the clerk of court shall forward within 10 days of the entry of the order a certified copy of the order to the sheriff of the county in which the petitioner resides, the North Carolina Department of Justice, and the denied person's file of the national instant criminal background check system index.

(i) Restoration is Not an Expunction or Pardon. – A restoration of firearms rights under this section does not result in the expunction of any criminal history record information nor does it constitute a pardon.

(j) Automatic Revocation Upon Conviction of a Subsequent Felony. – If a person's firearms rights are restored under this section and the person is convicted of a second or subsequent felony, then the person's firearms rights are automatically revoked and shall not be restored under this section.

(k) Fee. – A person who files a petition for restoration of firearms rights under this section shall pay the clerk of court a fee of two hundred dollars (\$200.00) at the time the petition is filed. Fees collected under this subsection shall be deposited in the General Fund. This subsection does not apply to petitions filed by an indigent.

(l) Criminal Offense to Submit False Information. – A person who knowingly and willfully submits false information under this section is guilty of a Class 1 misdemeanor. In addition, a person who is convicted of an offense under this subsection is permanently prohibited from petitioning to restore his or her firearms rights under this section."

**SECTION 2.** Chapter 114 of the General Statutes is amended by adding a new section to read:

**"§ 114-19.28. Criminal record checks of petitioners for restoration of firearms rights.**

(a) A person who petitions the court to have the person's firearms rights restored shall submit a full set of the petitioner's fingerprints, to be administered by the sheriff. The petitioner shall also submit to the sheriff a form signed by the petitioner consenting to the criminal record check and use of fingerprints and other identifying information required by the State and National

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Repositories, and any additional information required by the State Bureau of Investigation or the Federal Bureau of Investigation. The sheriff shall forward the set of fingerprints and the signed consent form to the State Bureau of Investigation for a records check of State and national databases.

(b) Upon receipt of the fingerprints and consent form forwarded by the sheriff pursuant to subsection (a) of this section, the State Bureau of Investigation shall conduct a search of the State criminal history record file and shall forward a set of the fingerprints and a copy of the signed consent form to the Federal Bureau of Investigation for a national criminal history record check.

(c) The State Bureau of Investigation shall provide a copy of the information obtained pursuant to this section to the clerk of superior court to be placed in a separate confidential court file for the petition for restoration of firearms rights.

(d) The Department of Justice may charge a fee to offset the cost incurred by it to conduct a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information."

**SECTION 3.** G.S. 14-415.1 is amended by adding the following new subsections to read:

"(d) This section does not apply to a person whose firearms rights have been restored under G.S. 14-415.4, unless the person is convicted of a subsequent felony after the petition to restore the person's firearms rights is granted.

(e) This section does not apply and there is no disenfranchisement under this section if the felony conviction is a violation under the laws of North Carolina, another state, or the United States that pertains to antitrust violations, unfair trade practices, or restraints of trade."

**SECTION 4.** G.S. 14-404(c) reads as rewritten:

"(c) A permit may not be issued to the following persons:

- (1) One who is under an indictment or information for or has been convicted in any state, or in any court of the United States, of a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade). However, a person who has been convicted of a felony in a court of any state or in a court of the United States and (i) who is later ~~pardoned~~-pardoned, or (ii) whose firearms rights have been restored pursuant to G.S. 14-415.4, may obtain a permit, if the purchase or receipt of a pistol or crossbow permitted in this Article does not violate a condition of the ~~pardon~~-pardon or restoration of firearms rights.
- (2) One who is a fugitive from justice.
- (3) One who is an unlawful user of or addicted to marijuana or any depressant, stimulant, or narcotic drug (as defined in 21 U.S.C. § 802).
- (4) One who has been adjudicated mentally incompetent or has been committed to any mental institution.

- (5) One who is an alien illegally or unlawfully in the United States.
- (6) One who has been discharged from the armed forces under dishonorable conditions.
- (7) One who, having been a citizen of the United States, has renounced his or her citizenship.
- (8) One who is subject to a court order that:
  - a. Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;
  - b. Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner of the person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
  - c. Includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child; or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury."

**SECTION 5.** G.S. 14-415.12(b) reads as rewritten:

"(b) The sheriff shall deny a permit to an applicant who:

- (1) Is ineligible to own, possess, or receive a firearm under the provisions of State or federal law.
- (2) Is under indictment or against whom a finding of probable cause exists for a felony.
- (3) Has been adjudicated guilty in any court of a ~~felony~~ felony, unless: (i) the felony is an offense that pertains to antitrust violations, unfair trade practices, or restraints of trade, or (ii) the person's firearms rights have been restored pursuant to G.S. 14-415.4.
- (4) Is a fugitive from justice.
- (5) Is an unlawful user of, or addicted to marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.
- (6) Is currently, or has been previously adjudicated by a court or administratively determined by a governmental agency whose decisions are subject to judicial review to be, lacking mental capacity or mentally ill. Receipt of previous consultative services or outpatient treatment alone shall not disqualify an applicant under this subdivision.
- (7) Is or has been discharged from the armed forces under conditions other than honorable.

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- (8) Is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes, or a violation of a misdemeanor under G.S. 14-225.2, 14-226.1, 14-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-276.1, 14-277, 14-277.1, 14-277.2, 14-277.3A, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6, 14-288.9, 14-288.12, 14-288.13, 14-288.14, 14-318.2, 14-415.21(b), 14-415.26(d), or former G.S. 14-277.3.
- (9) Has had entry of a prayer for judgment continued for a criminal offense which would disqualify the person from obtaining a concealed handgun permit.
- (10) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify him from obtaining a concealed handgun permit.
- (11) Has been convicted of an impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within three years prior to the date on which the application is submitted."

**SECTION 6.** The Attorney General shall send a copy of this act to the United States Attorney General, the United States Department of Justice, and the federal Bureau of Alcohol, Tobacco, and Firearms for review and shall ask for a determination of the following: (i) whether a person who has his or her firearms rights restored pursuant to this act can legally purchase and possess a firearm under federal law, and (ii) whether a person who falls under the exception to the State Felony Firearms Act regarding antitrust violations, unfair trade practices, or restraints of trade as enacted by this act can legally purchase and possess a firearm under federal law. The Attorney General shall report the response to the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee.

**SECTION 7.** Sec. 6 of this act is effective when it becomes law. The remainder of the act becomes effective February 1, 2011, 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 Wednesday, June 30, for adoption.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 5:32 P.M.



**ONE HUNDRED AND FORTY-FIRST DAY**

Senate Chamber  
Wednesday, June 30, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, it's human nature. Sometimes we are preoccupied by worry and fear, fear of what might happen, fear of losing and fear of retribution. Very often fear distorts truth, not so much by exaggerating the ills of this world, but by underestimating our ability to deal with them. While fear and worry seek safety, help us this day to live boldly with conviction. For you do not give us a spirit of fear but one of strength, love and sound judgment. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Goodall, and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, June 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 Cheryl Brewer from Durham, North Carolina, who is serving the Senate as Nurse of the Day.*

The President welcomes the members of the House of Representatives who are in the Senate Chamber for the performance of the 82nd Airborne All-American Chorus.

**THE 82ND AIRBORNE ALL-AMERICAN CHORUS**

Upon motion of Senator Dickson, the President extends privileges of the floor to the 82nd Airborne All-American Chorus who presents a musical performance.

The Senate recesses at 3:36 P.M. to reconvene at 3:45 P.M.

**RECESS**

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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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  
June 30, 2010

Mr. 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. 897** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 1077** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION PERTAINING TO THE E-NC AUTHORITY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HIGH-SPEED INTERNET ACCESS IN RURAL AND URBAN AREAS, for concurrence in the House Committee Substitute bill No. 2.

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

**S.B. 1216** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW, 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 1, for concurrence.

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**H.B. 1659** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY TO CONVEY AN INTEREST IN THAT PROPERTY FOR ECONOMIC DEVELOPMENT AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.

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

**H.B. 1685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH CAROLINA TURNPIKE AUTHORITY.

Referred to the **Finance Committee**.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1191**, AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**S.B. 1193**, AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

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

**S.B. 1135**, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT.

**S.B. 1389**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM.

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**H.B. 337**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE.

**H.B. 1687**, AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE.

### 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:

**S.B. 1120**, AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON RELATING TO RESIDENTIAL DEVELOPMENT PROJECTS IN A MUNICIPAL SERVICE DISTRICT. (Became law upon ratification, June 29, 2010 - S.L. 2010-25.)

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Stevens for the **Education/Higher Education Committee**:

**H.B. 1682** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION, with a favorable report.

**H.B. 357**, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION BY DELETING FROM A 1981 LAW RELATING TO FILLING VACANCIES IN COUNTY BOARDS OF EDUCATION ELECTED ON A PARTISAN BASIS COUNTY BOARDS OF EDUCATION THAT IN FACT ARE NOT ELECTED ON A PARTISAN BASIS, 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 50958, which changes the title upon concurrence to read **H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING

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TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS, is adopted and engrossed.

**H.B. 213** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT, PUBLIC SCHOOL EMPLOYEES, AND COMMUNITY COLLEGE EMPLOYEES, 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 60087, which changes the title upon concurrence to read **H.B. 213** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT AND FOR PUBLIC SCHOOL EMPLOYEES, AND TO REQUIRE THE STATE PERSONNEL COMMISSION, THE STATE BOARD OF EDUCATION, AND THE STATE BOARD OF COMMUNITY COLLEGES TO MAKE AN ANNUAL REPORT ON THE VOLUNTARY SHARED LEAVE PROGRAM, is adopted and engrossed.

**H.B. 1292** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISMISSAL, DEMOTION, OR SUSPENSION OF NONCERTIFIED SCHOOL EMPLOYEES, 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 30542, which changes the title upon concurrence to read **H.B. 1292** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY ENERGY SAVINGS REALIZED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL REMAIN AVAILABLE TO THE INSTITUTION AND A PORTION OF THOSE ENERGY SAVINGS SHALL BE USED FOR OTHER ENERGY CONSERVATION MEASURES; AND TO EXPAND THE USE OF OPERATIONAL LEASES BY LOCAL BOARDS OF EDUCATION, is adopted and engrossed.

By Senator Purcell for the **Health Care Committee**:

**H.B. 1705** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES

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FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, 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 60095, is adopted and engrossed.

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

**H.B. 664**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE VILLAGE OF SUGAR MOUNTAIN, with a favorable report.

**H.B. 1919** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN A PUBLIC-PRIVATE DEVELOPMENT PROJECT OUTSIDE THE DOWNTOWN AREA, with a favorable report.

**H.B. 1936**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM, with a favorable report.

**H.B. 2052**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT, with a favorable report.

### CALENDAR

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

**S.B. 897** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES, for adoption upon third reading.

Upon motion of Senator Hoyle, the Conference Report is taken up out of its regular order of business and placed before the Senate as the first order of business.

Senator Jacumin announces a pair vote. If Senator Shaw were present, he would vote "aye"; Senator Jacumin votes "no".

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Senator Atwater announces a pair vote. If Senator Goodall were present, he would vote "no"; Senator Atwater votes "aye".

Upon motion of Senator Garrou, the Conference Report is adopted on its third reading, by roll-call vote, ayes 28, noes 15, as follows:

Voting in the affirmative: Senators Albertson, Basnight, Berger of Franklin, Bingham, Blue, Clodfelter, Dannelly, Davis, Dorsett, Foriest, Garrou, Goss, Graham, Hoyle, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Purcell, Queen, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---28.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Brock, Brown, Brunstetter, Clary, East, Forrester, Hartsell, Hunt, Preston, Rouzer, Rucho and Tillman---15.

Pursuant to a message received earlier today from the House of Representatives that the House has adopted the report of the Conferees, the President orders the bill enrolled and sent to the Governor by special message.

**H.B. 1953** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010, 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, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

**S.B. 1446**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES, 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, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, July 1, upon third reading.

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**S.J.R. 1302**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARGARET TAYLOR HARPER, FORMER CANDIDATE FOR LIEUTENANT GOVERNOR.

Upon motion of Senator Hoyle, the joint resolution is taken up out of its regular order of business and placed before the Senate for immediate consideration.

Upon motion of Senator Soles, the joint resolution is read in its entirety.

The joint resolution passes its second reading (45-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

**S.J.R. 1391**, A JOINT RESOLUTION HONORING THE TWO HUNDRED THIRTY-THIRD ANNIVERSARY OF CASWELL COUNTY.

Upon motion of Senator Hoyle, the joint resolution is taken up out of its regular order of business and placed before the Senate for immediate consideration.

Upon motion of Senator Foriest, the joint resolution is read in its entirety.

The joint resolution passes its second reading (45-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

Upon motion of Senator Foriest, the courtesies of the gallery are extended to Lionell Parker, Librarian Coordinator of Library Services, Piedmont Community College and his wife, Danita.

**H.B. 710** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION, upon second reading.

The Senate 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, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: None.

The Senate Committee Substitute bill remains on the Calendar for Thursday, July 1, upon third reading.

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

Upon motion of Senator Snow, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

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**S.B. 1115** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION.

The Committee Substitute bill No. 2 passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**H.B. 1666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE NUMBER OF MEMBERS OF THE DAVIE COUNTY BOARD OF EDUCATION FROM SIX TO SEVEN AND CHANGE THE TERMS OF OFFICE FROM SIX YEARS TO FOUR YEARS.

The Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

The bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DARE AND MCDOWELL COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

The Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1772** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

The Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1821**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

The bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF SHELBY TO INSPECT CLEVELAND COUNTY VEHICLES

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REQUIRING EMISSIONS AND SAFETY INSPECTIONS UNDER THE CITY'S SELF-INSPECTOR LICENSE.

The bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 2056** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HAVE THE OFFICE OF CORONER IN RUTHERFORD COUNTY VACATED AT THE END OF THE CURRENT TERM.

The Committee Substitute bill passes its second reading (45-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 120** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONTINUE THE AUTHORIZATION OF THE TOWN OF CHAPEL HILL TO PROVIDE PUBLIC CAMPAIGN FINANCING FOR THAT TOWN'S MUNICIPAL ELECTIONS.

The Senate Committee Substitute bill passes its second reading (29-16) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**S.B. 1264** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS, temporarily displaced earlier today.

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

**H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND ENSURING THAT HOMEOWNERS ASSOCIATION RESTRICTIONS DO NOT PREVENT THE USE OF SOLAR ENERGY SYSTEMS.

Senator Jenkins offers Amendment No. 1 which is adopted (41-4), and changes the title, upon concurrence, to read **H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR

CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, AND CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE.

The Senate Committee Substitute bill, as amended, 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, Blue, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, remains on the Calendar for Thursday, July 1, upon third reading.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 897**, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES.

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

**H.B. 1953**, AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010.

### CALENDAR *(continued)*

**S.B. 1214** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CORRESPONDING CHANGES TO THE MOTOR VEHICLES LAWS TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION, TO REQUIRE DECLARED

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REGISTRATION LICENSE WEIGHT TO BE FOR THE MAXIMUM WEIGHT FOR ALL VEHICLES THAT ARE PROVIDED EXEMPTIONS UNDER G.S. 20-118, TO MODIFY THE STATUTE OF LIMITATIONS FOR CIVIL SUITS RELATED TO UNCOLLECTED CIVIL FINES THAT HAVE BEEN ASSESSED AND REMAIN OWED TO THE STATE CIVIL FINES AND FORFEITURES FUND, AND TO ALLOW LOCAL GOVERNMENTS TO REFUND UNUSED ASSESSMENTS.

Senator Jenkins offers Amendment No. 1 which is adopted (44-0).

The Committee Substitute bill, as amended, passes its second reading (43-1) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Upon motion of Senator Snow, the Chair orders, without objection, the bill temporarily displaced.

**H.B. 614** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TREAT ONE APPLICATION BY A UNIFORMED VOTER FOR AN ABSENTEE BALLOT AS AN APPLICATION FOR ALL ABSENTEE BALLOTS FOR WHICH THE VOTER WOULD BE ELIGIBLE DURING THE SAME CALENDAR YEAR.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 617** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW ALL-TERRAIN VEHICLES TO BE USED BY DISABLED SPORTSMEN TO CROSS PUBLIC ROADWAYS.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message

**H.B. 666** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO PAY BILLS, INVOICES, SALARIES, OR OTHER CLAIMS BY ELECTRONIC PAYMENT OR ELECTRONIC FUNDS TRANSFER.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 726** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO

STATUTES RELATED TO EXPUNCTION OF RECORDS; TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; AND TO REQUIRE SEX OFFENDERS RESIDING IN THIS STATE TO REGISTER AS A SEX OFFENDER FOR CONVICTIONS OBTAINED OUTSIDE THIS STATE.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1412** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES RELATING TO NATIONAL GUARD COURTS-MARTIAL.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1741** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1743** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP BASINWIDE HYDROLOGIC MODELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Clodfelter offers Amendment No. 1 which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its second reading (36-8).

Senator Hunt objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 1, upon third reading.

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**H.B. 1744** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT FEASIBLE TO REGIONALIZE SHALL BE GIVEN THE SAME PRIORITY AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1746** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS, DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN, AND DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE; AND (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Senate Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1747** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS

LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Committee Substitute bill passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.J.R. 2076**, A JOINT RESOLUTION HONORING NORTH CAROLINIANS WITH DISABILITIES AND THEIR ADVOCATES AND HONORING THE TWENTIETH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT.

Upon motion of Senator Hoyle, the joint resolution is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 1.

**H.B. 1748** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

The Committee Substitute bill No. 2 passes its second reading (44-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**S.B. 829** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE REAL ESTATE APPRAISAL MANAGEMENT COMPANIES, for concurrence in the House Committee Substitute bill.

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.

**S.B. 866** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE RESPECTFUL RETIREMENT BY FIRE OF STATE FLAGS THAT ARE NO LONGER FITTING FOR DISPLAY, for concurrence in the House Committee Substitute bill.

June 30, 2010

Upon motion of Senator Dannelly, the Senate concurs in the House Committee Substitute bill (44-0) and the bill is ordered enrolled and sent to the Governor.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 1691** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, referred to the **Rules and Operations of the Senate Committee** on June 23.

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

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

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL, referred to the **Agriculture/Environment/Natural Resources Committee** on June 22.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill No. 2 be withdrawn from the **Agriculture/Environment/Natural Resources 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 **Agriculture/Environment/Natural Resources Committee** and re-refers the measure to the **Rules and Operations of the Senate Committee**.

#### CALENDAR *(continued)*

**S.B. 887** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO: (1) MODIFY THE COMPUTER EQUIPMENT RECYCLING PLAN REQUIREMENTS AND ASSOCIATED FEE IMPOSED ON MANUFACTURERS; AND (2) MAKE FURTHER SUBSTANTIVE, CLARIFYING, TECHNICAL, AND CONFORMING AMENDMENTS TO THE LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill No. 2.

June 30, 2010



*Without objection, Senator Brunstetter requests to be excused from voting on the House Committee Substitute bill No. 2 due to a conflict of interest.*

Upon motion of Senator Vaughan, the Senate concurs in the House Committee Substitute bill No. 2 (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 Blue.*

**S.B. 1151** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor.

**H.B. 1260** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED ONLY OF A SINGLE NONVIOLENT FELONY AND NO VIOLENT MISDEMEANORS AND WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR A PERIOD OF AT LEAST TWENTY YEARS MAY PETITION THE COURT TO RESTORE THE PERSON'S FIREARMS RIGHTS IN THIS STATE SO THAT THE DISENTITLEMENT UNDER THE FELONY FIREARMS ACT DOES NOT APPLY AND ALSO TO AMEND THE FELONY FIREARMS ACT TO ALLOW EXCEPTIONS FOR CERTAIN WHITE COLLAR CRIME CONVICTIONS THAT ARE SIMILAR TO THE EXCEPTIONS ALLOWED UNDER FEDERAL LAW, for adoption.

Upon motion of Senator Rucho, the Senate adopts the Conference Report (42-1).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, temporarily displaced earlier today.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 1.

Upon motion of Senator Basnight, seconded by Senator Preston, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Thursday, July 1, at 12:00 Noon.

June 30, 2010

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
June 30, 2010

Mr. President:

Pursuant to our message on Wednesday, May 12, 2010, that the House failed to concur in Senate Amendment No. 1 for **H.B. 565** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES,

Speaker Hackney has appointed:

Representative Gibson, Chair,  
Representative Burr, and  
Representative Blackwood

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. 1244** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AND TO ADD THE SECRETARY OF THE DEPARTMENT OF CULTURAL RESOURCES AS A NONVOTING EX OFFICIO MEMBER OF THE ECONOMIC DEVELOPMENT BOARD, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 1, for concurrence.

**S.B. 1331** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, for concurrence in the House Committee Substitute bill.

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The House Committee Substitute bill is placed on the Calendar for Thursday, July 1, for concurrence.

**H.B. 1728** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION.

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

**H.B. 1841** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY.

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

**H.B. 1893** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM.

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

**H.B. 1757** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP GUIDELINES FOR PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES KINDERGARTEN THROUGH EIGHT, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Referred to the **Education/Higher Education 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 AND FORTY-SECOND DAY

Senate Chamber  
Thursday, July 1, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, we do remember the family of William Bunn. We certainly are saddened by his death, but we are reassured that he now resides in your holy presence. Now we depart the legislature this week to celebrate our Nation's

July 1, 2010

birthday on Sunday around the State from huge crowds at Southport's annual festive celebration to private family picnics in the backyard off the Blue Ridge. Winning our Nation's hard fought freedom over two-hundred years ago was just the beginning. Subsequent battles for the freedom of African-Americans and women were just as important. And there are other freedoms still to be won. As we go, let us consider the thoughtful words of Woodrow Wilson who said, 'A Nation which does not remember what it was yesterday, does not know what it is today, nor what it is trying to do. We are trying to do a futile thing if we do not know where we came from or what we have been about.' Continue to guide the United States of America, O God, that we may extend the privileges of liberty and justice for all. Amen."

#### PLEDGE OF ALLEGIANCE

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

The Chair grants leaves of absence for today to Senator Blue and Senator Boseman.

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, 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 Angie Layden from Edenton, 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. 829**, AN ACT TO REGULATE REAL ESTATE APPRAISAL MANAGEMENT COMPANIES.

**S.B. 866**, AN ACT TO AUTHORIZE THE RESPECTFUL RETIREMENT BY FIRE OF STATE FLAGS THAT ARE NO LONGER FITTING FOR DISPLAY.

**S.B. 887**, AN ACT TO: (1) MODIFY THE COMPUTER EQUIPMENT RECYCLING PLAN REQUIREMENTS AND ASSOCIATED FEE IMPOSED ON MANUFACTURERS; AND (2) MAKE FURTHER SUBSTANTIVE, CLARIFYING, TECHNICAL, AND CONFORMING AMENDMENTS TO THE LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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**S.B. 1151**, AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

**S.B. 1201**, AN ACT TO PROVIDE ADDITIONAL OPERATING FLEXIBILITY TO COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

**S.B. 1323**, AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID.

**H.B. 1669**, AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE AND COMPARABLE SYSTEM APPROVED BY THE STATE BOARD OF EDUCATION TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT.

**H.B. 1747**, AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

**H.B. 1748**, AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**H.B. 1666**, AN ACT TO CHANGE THE NUMBER OF MEMBERS OF THE DAVIE COUNTY BOARD OF EDUCATION FROM SIX TO SEVEN AND CHANGE THE TERMS OF OFFICE FROM SIX YEARS TO FOUR YEARS.

**H.B. 1695**, AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

**H.B. 1754**, AN ACT TO AUTHORIZE DARE AND MCDOWELL COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

**H.B. 1772**, AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS.

**H.B. 1821**, AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS.

**H.B. 1910**, AN ACT TO ALLOW THE CITY OF SHELBY TO INSPECT CLEVELAND COUNTY VEHICLES REQUIRING EMISSIONS AND SAFETY INSPECTIONS UNDER THE CITY'S SELF-INSPECTOR LICENSE.

**H.B. 2056**, AN ACT TO HAVE THE OFFICE OF CORONER IN RUTHERFORD COUNTY VACATED AT THE END OF THE CURRENT TERM.

**S.J.R. 1302**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARGARET TAYLOR HARPER, FORMER CANDIDATE FOR LIEUTENANT GOVERNOR. (Res. 21)

**S.J.R. 1391**, A JOINT RESOLUTION HONORING THE TWO HUNDRED THIRTY-THIRD ANNIVERSARY OF CASWELL COUNTY. (Res. 22)

#### **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. 1135**, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF RED OAK AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF ROCKY MOUNT. (Became law upon ratification, June 30, 2010 - S.L. 2010-26.)

**S.B. 1389**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF GRAHAM. (Became law upon ratification, June 30, 2010 - S.L. 2010-27.)

**H.B. 337**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE. (Became law upon ratification, June 30, 2010 - S.L. 2010-28.)

**H.B. 1687**, AN ACT TO ALLOW THE TOWN OF CASWELL BEACH TO IMPOSE A SEWER TREATMENT FEE. (Became law upon ratification, June 30, 2010 - S.L. 2010-29.)

**H.B. 1953**, AN ACT TO PROVIDE THAT CURRITUCK COUNTY MAY PROHIBIT THE ISSUANCE OF A LAND-USE PERMIT OR A BUILDING PERMIT TO A DELINQUENT TAXPAYER AND TO ALLOW PASQUOTANK COUNTY TO SET THE TAX PREPAYMENT DISCOUNT BY JUNE 30, 2010. (Became law upon ratification, June 30, 2010 - S.L. 2010-30.)

**S.B. 897**, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2009 AND FOR OTHER PURPOSES. (Became law upon approval of the Governor, June 30, 2010 - S.L. 2010-31.)

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 1115**, A BILL TO BE ENTITLED AN ACT DESIGNATING THE MONTH OF AUGUST AS PSORIASIS AWARENESS MONTH, 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 50962, which changes the title upon concurrence to read **H.B. 1115** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ELECTRONIC NOTIFICATION TO THE MEDIA WHENEVER THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION IS CONSIDERING PAROLE FOR A PERSON SERVING A LIFE SENTENCE, is adopted and engrossed.

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Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill is place on the Calendar for Monday, July 6.

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

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

**S.B. 740** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE COMMUNITY COLLEGE BOARDS ADDITIONAL FLEXIBILITY IN SETTING THE SALARY OF COMMUNITY COLLEGE PRESIDENTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, July 6, for concurrence.

**S.B. 1114** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, July 6, for concurrence.

**S.B. 1177** (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 Tuesday, July 6, for concurrence.

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**CALENDAR**

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

**S.B. 1446**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES, upon third reading.

The bill passes its third 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, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives by special message.

**H.B. 710** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION, upon third reading.

The Senate 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, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The Senate Committee Substitute bill is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 2052**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT, 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, Brock, Brown,

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Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, July 6, upon third reading.

**H.B. 664**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE VILLAGE OF SUGAR MOUNTAIN.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1919** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN A PUBLIC-PRIVATE DEVELOPMENT PROJECT OUTSIDE THE DOWNTOWN AREA.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 1331** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Dickson, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled.

**H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND ENSURING THAT HOMEOWNERS ASSOCIATION RESTRICTIONS DO NOT PREVENT THE USE OF SOLAR ENERGY SYSTEMS, as amended on second reading, upon third reading.

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Senator Hoyle offers Amendment No. 2 which is adopted (47-0), and changes the title, upon concurrence, to read **H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY.

The Senate 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, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1936**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM, 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, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill remains on the Calendar for Tuesday, July 6, upon third reading.

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 1736** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, July 6.

**H.B. 1762**, A BILL TO BE ENTITLED AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, with a favorable report.

Upon motion of Senator Hoyle, the bill is placed on the Calendar for Tuesday, July 6.

**H.B. 144** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST, 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, 50954, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, July 6.

**CALENDAR** (*continued*)

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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Upon motion of Senator Snow, the Chair orders, without objection, the bill temporarily displaced.

**H.B. 213** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT AND FOR PUBLIC SCHOOL EMPLOYEES, AND TO REQUIRE THE STATE PERSONNEL COMMISSION, THE STATE BOARD OF EDUCATION, AND THE STATE BOARD OF COMMUNITY COLLEGES TO MAKE AN ANNUAL REPORT ON THE VOLUNTARY SHARED LEAVE PROGRAM.

Upon motion of Senator Nesbitt, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS.

The Senate Committee Substitute bill passes its second reading (48-0).

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 6, upon third reading.

**H.B. 213** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT AND FOR PUBLIC SCHOOL EMPLOYEES, AND TO REQUIRE THE STATE PERSONNEL COMMISSION, THE STATE BOARD OF EDUCATION, AND THE STATE BOARD OF COMMUNITY COLLEGES TO MAKE AN ANNUAL REPORT ON THE VOLUNTARY SHARED LEAVE PROGRAM, temporarily displaced earlier today.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1292** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY ENERGY SAVINGS REALIZED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL REMAIN AVAILABLE TO THE INSTITUTION AND

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A PORTION OF THOSE ENERGY SAVINGS SHALL BE USED FOR OTHER ENERGY CONSERVATION MEASURES; AND TO EXPAND THE USE OF OPERATIONAL LEASES BY LOCAL BOARDS OF EDUCATION.

The Senate Committee Substitute bill No. 2 passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1682** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION.

The Committee Substitute bill No. 2 passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1705** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.J.R. 2076**, A JOINT RESOLUTION HONORING NORTH CAROLINIANS WITH DISABILITIES AND THEIR ADVOCATES AND HONORING THE TWENTIETH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT.

The bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1705** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, temporarily displaced earlier today.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

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**H.B. 1743** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP BASINWIDE HYDROLOGIC MODELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, as amended on second reading.

Senator Hunt offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its third reading (42-6) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**S.B. 1216** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW, for concurrence upon second reading.

Upon motion of Senator Hoyle, the House Committee Substitute bill No. 2 is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 6, for concurrence upon second reading.

**S.B. 1244** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AND TO ADD THE SECRETARY OF THE DEPARTMENT OF CULTURAL RESOURCES AS A NONVOTING EX OFFICIO MEMBER OF THE ECONOMIC DEVELOPMENT BOARD, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill (47-1) and the bill is ordered enrolled and sent to the Governor.

### 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 Senators Blue; Allran, Atwater and McKissick:

**S.J.R. 1461**, A JOINT RESOLUTION HONORING THE DUKE BLUE DEVILS FOR WINNING THE 2010 NATIONAL LACROSSE CHAMPIONSHIP.

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

### CALENDAR *(continued)*

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT

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TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, temporarily displaced earlier today.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is placed on the Calendar for Tuesday, July 6.

Upon motion of Senator Basnight, seconded by Senator McKissick, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Friday, July 2, at 10:00 A.M.

### 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. 1331**, AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS.

**H.B. 664**, AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE VILLAGE OF SUGAR MOUNTAIN.

**H.B. 1307**, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

**H.B. 1919**, AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN A PUBLIC-PRIVATE DEVELOPMENT PROJECT OUTSIDE THE DOWNTOWN AREA.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Purcell for the **Health Care Committee**:

**H.B. 1726** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF

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PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, July 6.

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT DAY CARE PROGRAMS AND ADULT DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING, with a favorable report.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 789**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF NOTICE OF PENDING LITIGATION FOR ACTIONS SEEKING INJUNCTIVE RELIEF REGARDING SEDIMENTATION AND EROSION CONTROL FOR ANY LAND-DISTURBING ACTIVITY THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 4 OF CHAPTER 113A 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 30543, which changes the title upon concurrence to read **H.B. 789** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ENHANCED PROTECTIONS FOR VICTIMS AND WITNESSES BY INCREASING THE CRIMINAL PENALTY FOR THE OFFENSE OF INTIMIDATING OR INTERFERING WITH A WITNESS, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

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

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

**S.B. 650** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE CHATHAM COUNTY SCHOOL BOARD TO COMPLETE THE CURRENT TERM OF OFFICE DESPITE A MAPPING ERROR WHICH CAUSED HER TO BE ELECTED IN A

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DISTRICT WHERE SHE DID NOT RESIDE, AND TO VALIDATE ACTIONS OF THAT BOARD, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, July 6, for concurrence.

**H.J.R. 2078**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA.

The joint resolution is placed on the Calendar for Tuesday, July 6.

### **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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Mr. 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. 1260** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED ONLY OF A SINGLE NONVIOLENT FELONY AND NO VIOLENT MISDEMEANORS AND WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR A PERIOD OF AT LEAST TWENTY YEARS MAY PETITION THE COURT TO RESTORE THE PERSON'S FIREARMS RIGHTS IN THIS STATE SO THAT THE DISENTITLEMENT UNDER THE FELONY FIREARMS ACT DOES NOT APPLY AND ALSO TO AMEND THE FELONY FIREARMS ACT TO ALLOW EXCEPTIONS FOR CERTAIN WHITE COLLAR CRIME CONVICTIONS THAT ARE SIMILAR TO THE EXCEPTIONS ALLOWED UNDER FEDERAL LAW.

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

### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator Foriest for the **Pensions & Retirement and Aging Committee**:

**H.B. 1778**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT

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TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, 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 80650, which changes the title upon concurrence to read **H.B. 1778** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1708**, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO DECEMBER 1, 2010, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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 60096, which changes the title upon concurrence to read **H.B. 1708** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 1802** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES 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.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 50964, which changes the title upon concurrence to read **H.B. 1802** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

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

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

**H.B. 1765** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; AND TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS.

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

**H.B. 2055** (Committee Substitute No. 2), 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 OWED TO THE RETIREE HEALTH BENEFIT FUND FOR A SPECIFIED PERIOD.

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

### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 1685** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH

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CAROLINA TURNPIKE AUTHORITY, 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 60099, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 1691** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, 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 60098, which changes the title upon concurrence to read **H.B. 1691** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, AND TO INCREASE FUNDS FOR SUPPLEMENTAL PEG CHANNEL SUPPORT, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 1973** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND TAX CREDITS FOR GROWING BUSINESSES; TO REVISE ENVIRONMENTAL STANDARDS WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS; TO MODIFY THE REQUIREMENTS FOR AN AGRARIAN GROWTH ZONE; TO REDUCE THE CREDIT FOR INVESTMENTS IN BUSINESS PROPERTY UNDER ARTICLE 3J; TO ENHANCE THE COMPETITIVENESS OF THE CREDIT FOR PRODUCTION COMPANIES; TO ENACT TAX INCENTIVES FOR INTERACTIVE DIGITAL MEDIA COMPANIES; TO EXPAND THE TYPES OF DATACENTERS ELIGIBLE FOR PREFERENTIAL TAX TREATMENT; TO INCREASE THE NUMBER OF INDUSTRIES ELIGIBLE FOR SALES TAX REFUNDS ON BUILDING MATERIALS FOR MAJOR INDUSTRIAL FACILITIES; TO EXTEND SUNSETS ON EXPIRING ECONOMIC DEVELOPMENT TAX BENEFITS; TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS FOR PROJECTS LOCATED IN ECO-PARKS; TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN WOOD CHIPPERS; AND TO MAKE CHANGES TO PURCHASING AND CONTRACT LAWS, 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 50965, which changes the title upon concurrence to read **H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW

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ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO ESTABLISH THE YADKIN RIVER TRUST; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 1729** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE DATE OF EXPIRATION OF A COMMERCIAL DRIVERS LICENSE; CLARIFY THE WORDING OF A SPECIAL LICENSE PLATE ON A VEHICLE OVER SIX THOUSAND POUNDS; PROHIBIT SPECIFIED LICENSE PLATE COVERS; REPEAL AUTHORIZATION FOR EMERGENCY USE OF REGISTRATION PLATES; MAKE CHANGES TO THE LAW GOVERNING DEALER PLATES AND TRANSPORTER PLATES; CLARIFY ELIGIBILITY FOR CERTAIN FREE LICENSE PLATES; CLARIFY THE FEE FOR A SPECIAL PLATE ON A PROPERTY HAULING VEHICLE; ELIMINATE THE FEE FOR REGISTRATION RENEWAL BY MAIL; AMEND REQUIREMENT FOR SEPARATE REGISTRATION OF LOGGING TRUCKS; MODIFY APPLICATION OF LIGHT-TRAFFIC ROAD LIMITATIONS AND PENALTIES; AUTHORIZE INCIDENT MANAGEMENT ASSISTANCE PATROL VEHICLES TO USE RED LIGHTS; EXTEND APPLICABILITY OF THE MOVE OVER LAW TO VEHICLES BEING USED TO RESTORE ELECTRIC UTILITY SERVICE DUE TO AN UNPLANNED EVENT; MODIFY THE CURRENT PROHIBITION ON PARKING ON HIGHWAYS OR HIGHWAY SHOULDERS; PROVIDE THAT FAILURE TO COMPLY WITH THE LAWS GOVERNING TRANSPORTER PLATES IS GROUNDS FOR DENYING, SUSPENDING, OR REVOKING A DEALER LICENSE; SPECIFY THAT THE YELLOW LIGHT DURATION INTERVAL FOR A TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM BE SET OUT IN A TRAFFIC SIGNAL PLAN SIGNED AND SEALED BY A PROFESSIONAL ENGINEER; CHANGE THE LAW CONCERNING REMOVAL OF ABANDONED VEHICLES FROM STREETS AND HIGHWAYS IN MUNICIPALITIES; EXEMPT HAULERS OF ANIMAL WASTE USED IN AGRIBUSINESS FROM THE WEIGHT RESTRICTIONS ON STATE ROADS; AND CLARIFY REQUIREMENTS FOR DOT INSPECTION PROGRAM CALL CENTER, 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, 60097, which changes the title upon concurrence to read **H.B. 1729** (Senate committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

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By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 12**, A BILL TO BE ENTITLED AN ACT TO MAKE USING A MOBILE PHONE OR ACCESSING ADDITIONAL TECHNOLOGY UNLAWFUL WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85380, which changes the title to read **S.B. 12** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO USE A HANDHELD MOBILE PHONE WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA AND TO APPROPRIATE FUNDS, is adopted and engrossed.

Upon motion of Senator Hartsell, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS 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 65093, which changes the title to read **S.B. 1165** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is adopted and engrossed.

Upon motion of Senator Hoyle, the Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

**H.B. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE CONDITIONS OF PROBATION, 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 30544, which changes the title upon concurrence to read **H.B. 859** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, is adopted and engrossed.

Upon motion of Senator Hoyle, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, July 6.

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Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 6:16 P.M.

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### ONE HUNDRED AND FORTY-THIRD DAY

Senate Chamber  
Friday, July 2, 2010

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 Dan Blue, who presides in the absence of the Lieutenant Governor.

Prayer is offered by Paul Curry, staff member in the Senate Principal Clerk's Office as follows:

"We lift up our hearts, O God, on this weekend of celebration in gratitude for the gift of being Americans. We rejoice with all those who share in the great dream of freedom and dignity for all. We salute those who have sacrificed that we might have the opportunity to bring to fulfillment our many God-given gifts. Bless our State and Country and join our celebration that we may praise you, our source of freedom, the one in whom we place our trust. Amen."

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

Senator Hunt announces that the Journal of Thursday, 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.

### SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

**S.B. 1337** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the Calendar for Tuesday, July 6, for concurrence.

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**S.B. 1246** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE, AND TO ALLOW MILITARY DEPENDANTS WHOSE PARENTS ARE DEPLOYED TO ATTEND SCHOOL BEFORE THE AGE OF FIVE IN NORTH CAROLINA IF ELIGIBLE IN THE STATE WHERE THE CHILD'S PARENT IS PERMANENTLY STATIONED, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Tuesday, July 6, for concurrence.

Upon motion of Senator Rouzer, seconded by Senator Hunt, the Senate adjourns subject to receipt of committee reports and messages from the House of Representatives, to meet Tuesday, July 6, at 1:00 P.M.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 961** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN PUBLIC CONFIDENCE IN THE ELECTION PROCESS FOR COUNCIL OF STATE OFFICES THAT REGULATE INDIVIDUALS AND BUSINESSES IN THIS STATE; TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, with an unfavorable report as to Senate Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill No. 3.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 3, 30545, which changes the title upon concurrence to read **H.B. 961** (Senate

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Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, is adopted and engrossed.

Pursuant to Senator Rouzer's motion to adjourn having prevailed, the Senate adjourns at 10:23 A.M.

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### ONE HUNDRED AND FORTY-FOURTH DAY

Senate Chamber  
Tuesday, July 6, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"O Lord, we pray believing everything we do and say ultimately depends on you, but now let us work as if everything we do and say depends on us. The partnership forged by such a mind set will help us through these last days of this legislative session with accomplishment and grace. Amen."

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

Senator Basnight, President *Pro Tempore*, announces that the Journal of Friday, 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.

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*The Chair extends privileges of the floor to Celest Long from Littleton, North Carolina and Janet Handy from Denver, North Carolina, who are serving the Senate as Nurses of the Day.*

#### **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. 1307**, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF.

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

**S.B. 1244**, AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AND TO ADD THE SECRETARY OF THE DEPARTMENT OF CULTURAL RESOURCES AS A NONVOTING EX OFFICIO MEMBER OF THE ECONOMIC DEVELOPMENT BOARD.

**H.B. 1260**, AN ACT TO PROVIDE THAT A PERSON CONVICTED ONLY OF A SINGLE NONVIOLENT FELONY AND NO VIOLENT MISDEMEANORS AND WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR A PERIOD OF AT LEAST TWENTY YEARS MAY PETITION THE COURT TO RESTORE THE PERSON'S FIREARMS RIGHTS IN THIS STATE SO THAT THE DISSENTMENT UNDER THE FELONY FIREARMS ACT DOES NOT APPLY AND ALSO TO AMEND THE FELONY FIREARMS ACT TO ALLOW EXCEPTIONS FOR CERTAIN WHITE COLLAR CRIME CONVICTIONS THAT ARE SIMILAR TO THE EXCEPTIONS ALLOWED UNDER FEDERAL LAW.

**H.B. 1682**, AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION.

**H.B. 1692**, AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE AND THE DIVISION OF PUBLIC HEALTH, IN THE

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DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION.

**H.B. 1693**, AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION.

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

**S.B. 1121**, AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO LEASE CITY-OWNED REAL PROPERTY IN ITS MUNICIPAL SERVICE DISTRICTS, FOR SUCH CONSIDERATION, UPON SUCH TERMS, AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL.

**S.B. 1421**, AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE.

**H.B. 2042**, AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND; AND TO PROVIDE THAT THE CITY OF KING MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER.

**H.J.R. 2076**, A JOINT RESOLUTION HONORING NORTH CAROLINIANS WITH DISABILITIES AND THEIR ADVOCATES AND HONORING THE TWENTIETH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT. (Res. 23)

#### 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. 35**, AN ACT TO PROVIDE THAT TRANSFER FEE COVENANTS DO NOT RUN WITH THE TITLE TO REAL PROPERTY AND ARE NOT BINDING ON OR ENFORCEABLE AGAINST ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-32.)

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**H.B. 1864**, AN ACT REMOVING THE HIGH SCHOOL GRADUATION PROJECT AS A REQUIREMENT FOR GRADUATION. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-33.)

**S.B. 66**, AN ACT TO PROVIDE A COMPREHENSIVE ARTS EDUCATION PLAN. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-34.)

**H.B. 901**, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP OR IDENTIFY ACADEMICALLY RIGOROUS HONORS-LEVEL COURSES IN HEALTHFUL LIVING EDUCATION THAT CAN BE OFFERED AT THE HIGH SCHOOL LEVEL. (Became law upon approval of the Governor, July 7, 2010 - S.L. 2010-35.)

**H.B. 1683**, AN ACT TO DELAY THE SUNSET OF AN ACT PERTAINING TO THE DISCIPLINE AND HOMEBOUND INSTRUCTION OF STUDENTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-36.)

**S.B. 595**, AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON STATE ROADS WITHIN MUNICIPAL LIMITS. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-37.)

**H.B. 1998**, AN ACT TO AUTHORIZE RECIPROCITY FOR SERVICE IN THE OPTIONAL RETIREMENT PROGRAM FOR MEMBERS OF THE TEACHERS AND STATE EMPLOYEES RETIREMENT SYSTEM. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-38.)

**H.B. 1143**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE ALL MILITARY WARTIME VETERAN SPECIAL PLATES BASED ON DEFINED PERIODS OF WAR. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-39.)

**H.B. 1429**, AN ACT TO EXTEND THE EFFECTIVE DATE FOR COMMISSIONER OF INSURANCE DISCRETION TO WAIVE THE MINIMUM POLICYHOLDERS POSITION REQUIREMENT UNDER CERTAIN CIRCUMSTANCES FOR MORTGAGE GUARANTY INSURERS. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-40.)

**S.B. 1198**, AN ACT TO DIRECT THE EDUCATION CABINET TO SET AS A PRIORITY AN INCREASE IN THE NUMBER OF POSTSECONDARY CREDENTIALS IN THE FIELDS OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS AND TO SUPPORT EFFORTS TO

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ACHIEVE THAT PRIORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION. (Became law upon approval of the Governor, July 1, 2010 - S.L. 2010-41.)

**H.B. 1666**, AN ACT TO CHANGE THE NUMBER OF MEMBERS OF THE DAVIE COUNTY BOARD OF EDUCATION FROM SIX TO SEVEN AND CHANGE THE TERMS OF OFFICE FROM SIX YEARS TO FOUR YEARS. (Became law upon ratification, July 1, 2010 - S.L. 2010-42.)

**H.B. 1695**, AN ACT TO REPEAL THE PROVISIONS ESTABLISHING THE WAYNESVILLE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (Became law upon ratification, July 1, 2010 - S.L. 2010-43.)

**H.B. 1754**, AN ACT TO AUTHORIZE DARE AND MCDOWELL COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. (Became law upon ratification, July 1, 2010 - S.L. 2010-44.)

**H.B. 1772**, AN ACT TO CHANGE THE TERM OF OFFICE FOR MEMBERS OF THE CHEROKEE COUNTY BOARD OF EDUCATION ELECTED IN 2010 AND THEREAFTER FROM SIX YEARS TO FOUR YEARS. (Became law upon ratification, July 1, 2010 - S.L. 2010-45.)

**H.B. 1821**, AN ACT TO ALLOW THE TOWN OF WILLIAMSTON TO USE MOTORIZED ALL-TERRAIN VEHICLES ON CERTAIN HIGHWAYS. (Became law upon ratification, July 1, 2010 - S.L. 2010-46.)

**H.B. 1910**, AN ACT TO ALLOW THE CITY OF SHELBY TO INSPECT CLEVELAND COUNTY VEHICLES REQUIRING EMISSIONS AND SAFETY INSPECTIONS UNDER THE CITY'S SELF-INSPECTOR LICENSE. (Became law upon ratification, July 1, 2010 - S.L. 2010-47.)

**H.B. 2056**, AN ACT TO HAVE THE OFFICE OF CORONER IN RUTHERFORD COUNTY VACATED AT THE END OF THE CURRENT TERM. (Became law upon ratification, July 1, 2010 - S.L. 2010-48.)

**H.B. 1307**, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE THAT NO PERSON CONVICTED OF A FELONY IS ELIGIBLE TO BE ELECTED SHERIFF. (Became law upon ratification, July 1, 2010 - S.L. 2010-49.)

**S.B. 1331**, AN ACT TO ALLOW THE CITY OF FAYETTEVILLE TO USE WHEEL LOCKS TO ENFORCE PARKING REGULATIONS. (Became law upon ratification, July 1, 2010 - S.L. 2010-50.)

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**H.B. 664**, AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE VILLAGE OF SUGAR MOUNTAIN. (Became law upon ratification, July 1, 2010 - S.L. 2010-51.)

**H.B. 1919**, AN ACT AUTHORIZING THE TOWN OF MATTHEWS TO PARTICIPATE IN A PUBLIC-PRIVATE DEVELOPMENT PROJECT OUTSIDE THE DOWNTOWN AREA. (Became law upon ratification, July 1, 2010 - S.L. 2010-52.)

### 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 Hoyle:

**S.J.R. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

### WITHDRAWAL FROM COMMITTEE

**S.J.R. 1460**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES R. TURNER, FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on June 29.

Pursuant to Rule 47(a), Senator Hoyle 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, July 7, 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 July 7.

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL, re-referred to the **Rules and Operations of the Senate Committee** on June 30.

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

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The Chair orders the Committee Substitute bill No. 2 withdrawn from the **Rules and Operations of the Senate Committee** and re-refers the measure to the **Agriculture/Environment/Natural Resources Committee**.

*The Chair grants a leave of absence for the remainder of today's session to Senator Shaw.*

### CALENDAR

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

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Upon motion of Senator Hoyle, the bill is withdrawn from today's Calendar and is re-referred to the **Pensions & Retirement and Aging Committee**.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1398**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT, 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 30536, which changes the title upon concurrence to read **H.B. 1398** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, is adopted and engrossed.

By Senator Jones for the **State & Local Government Committee**:

**H.B. 1920** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE RESOURCES DEVELOPMENT COMMISSION OF BRUNSWICK COUNTY, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

Upon motion of Senator Soles, the rules are suspended and the Committee Substitute bill, as amended, is placed on today's Calendar.

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**H.B. 1921** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, 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 80651, which changes the title upon concurrence to read **H.B. 1921** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY AND BY YADKIN COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO, is adopted and engrossed.

**H.B. 1696** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WATAUGA COUNTY TO CONDUCT A REFERENDUM TO OPT OUT OF SUNDAY BOW HUNTING, with an unfavorable report.

By Senator Hartsell for the **Judiciary II Committee**:

**H.B. 1377**, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN SALES OF STATE PROPERTY SUBJECT TO UPSET BIDS, 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 50968, which changes the title upon concurrence to read **H.B. 1377** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE SCHOOLS ACT, is adopted and engrossed.

#### **CALENDAR** *(continued)*

**H.B. 2052**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT, upon third reading.

The 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis,

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Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill is ordered enrolled.

**H.B. 1736** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES.

The Committee Substitute bill No. 2 passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**S.B. 650** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A MEMBER OF THE CHATHAM COUNTY SCHOOL BOARD TO COMPLETE THE CURRENT TERM OF OFFICE DESPITE A MAPPING ERROR WHICH CAUSED HER TO BE ELECTED IN A DISTRICT WHERE SHE DID NOT RESIDE, AND TO VALIDATE ACTIONS OF THAT BOARD, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Goss, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled.

**S.B. 1114** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Kinnaird, the Senate concurs in the House Committee Substitute bill No. 2 (48-0) and the bill is ordered enrolled.

**H.B. 1936**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM, upon third reading.

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The 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor.

**H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO ESTABLISH THE YADKIN RIVER TRUST; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.B. 1165** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

**H.B. 144** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST.

The Senate Committee Substitute bill No. 2 passes its second reading (48-0).

Senator Garrou objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Wednesday, July 7, upon third reading.

**H.B. 789** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE ENHANCED PROTECTIONS FOR VICTIMS AND WITNESSES BY INCREASING THE CRIMINAL PENALTY FOR THE OFFENSE OF INTIMIDATING OR INTERFERING WITH A WITNESS.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

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**H.B. 859** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY.

The Senate Committee Substitute bill passes its second reading (46-2) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES.

Upon motion of Senator Goss, the Chair orders, without objection, the Senate Committee Substitute bill No. 3 temporarily displaced.

**H.B. 1115** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ELECTRONIC NOTIFICATION TO THE MEDIA WHENEVER THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION IS CONSIDERING PAROLE FOR A PERSON SERVING A LIFE SENTENCE.

Senator Hoyle offers Amendment No. 1 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1685** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH CAROLINA TURNPIKE AUTHORITY.

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The Senate Committee Substitute bill passes its second reading (47-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1691** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, AND TO INCREASE FUNDS FOR SUPPLEMENTAL PEG CHANNEL SUPPORT.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT DAY CARE PROGRAMS AND ADULT DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1708** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Senate Committee Substitute bill passes its second reading (48-0).

Senator Jenkins objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Wednesday, July 7, upon third reading.

**H.B. 1714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

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**H.B. 1726** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES.

The Committee Substitute bill No. 2 passes its second reading (31-17).

Senator East objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Wednesday, July 7, upon third reading.

**H.B. 1729** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS.

*Without objection, Senator Brown requests to be excused from voting on the Senate Committee Substitute bill No. 2 due to a conflict of interest.*

Senator Jenkins offers Amendment No. 1 which is adopted (47-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1762**, A BILL TO BE ENTITLED AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

The bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

**H.B. 1778** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES; AND TO AUTHORIZE STERLING MONTESSORI ACADEMY AND CHARTER SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1802** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.J.R. 2078**, A JOINT RESOLUTION HONORING THE ONE HUNDRETH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS.

Senator Snow offers Amendment No. 1 which is adopted (48-0), and changes the title upon concurrence to read **H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS AND TO DIRECT PUBLIC SCHOOLS TO INSTRUCT STUDENTS ON THE SIGNIFICANCE OF MEMORIAL DAY.

Upon motion of Senator Atwater, the remarks of Senator Albertson are spread upon the Journal, as follows:

**Senator Albertson:**

“Maybe my remarks would have been more appropriate as we were on the amendment but I do appreciate Senator Snow bringing this to us. I told the Ag Committee this morning and I was sort of caught by surprise but I hadn’t told anyone except my wife until this morning. On Memorial Day, I went to the graveside of one of my neighbors who was captured in the early days of the war

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in the Philippines and he survived four or five years in a Japanese concentration camp. When he came back home after the war I was just a young boy having been born in 1932, fourteen or fifteen years old, I guess. He was trying to farm and he rented some land right across from the schoolhouse, but to know the better story, he grew up right next to me. He came from a large family as I did and we were in and out of each other's houses just like one big family helping one another farm in order that we could survive. But I would try to help him do some farming when he came back and he simply was not able to work. His health condition, having survived all those years in that Japanese concentration camp, was just a sad sight to see. When I was working with the Department of Agriculture, he was locked up one night at the place where I worked and he was left in jail overnight, and I will always regret that I didn't do more to try to get him out of jail because he simply did not belong in jail after all that he had been through. But for the last two years I have been to his graveside and last year I sort of knelt down and I rubbed my hand across his name on the marker and I asked myself what I could do to really honor this man and all the other men and women who had given their very all that we might live in this great land. I concluded the best thing I could do was to become a peacemaker for the rest of my life, not a warrior, but to work to promote peace among people beginning with myself. There is such a great need in our land today in our World, I believe, to do that, even here among Republicans and Democrats, the Blacks, the Whites, the Julia Bosemans of the World, everybody else who is different from most of us. We need to find a way to recognize the goodness and the differences in all of us and if we could do that we would have taken a giant step for the human race in the world. I don't know how I will do in this regard but this will be my goal to be good to everybody to the best of my ability for my remaining time on this earth. Thank you so much."

The Senate Committee Substitute bill, as amended, passes its third reading (48-0) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**S.B. 1177** (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 upon second reading.

Upon motion of Senator Clodfelter, 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

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The House Committee Substitute bill remains on the Calendar for Wednesday, July 7, for concurrence upon third reading.

**S.B. 1216** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW, for concurrence in the House Committee Substitute bill No. 2 upon second reading.

Upon motion of Senator Blue, the Senate concurs in the House Committee Substitute bill No. 2 on its second reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: Senators Brock, Goodall and Rucho---3.

The House Committee Substitute bill No. 2 remains on the Calendar for Wednesday, July 7, for concurrence upon third reading.

**S.B. 740** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE COMMUNITY COLLEGE BOARDS ADDITIONAL FLEXIBILITY IN SETTING THE SALARY OF COMMUNITY COLLEGE PRESIDENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Swindell, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor.

**S.B. 1246** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE, AND TO ALLOW MILITARY DEPENDANTS WHOSE PARENTS ARE DEPLOYED TO ATTEND SCHOOL BEFORE THE AGE OF FIVE IN NORTH CAROLINA IF ELIGIBLE IN THE STATE WHERE THE CHILD'S PARENT IS PERMANENTLY STATIONED, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Davis, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor.

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**S.B. 1337** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Davis, the Senate concurs in the House Committee Substitute bill No. 2 (43-5) and the bill is ordered enrolled and sent to the Governor.

**H.B. 1920** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE RESOURCES DEVELOPMENT COMMISSION OF BRUNSWICK COUNTY, as amended by the State and Local Government Committee, placed earlier on today's Calendar.

The Committee Substitute bill, as amended, passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in Amendment No. 1 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 **S.B. 567** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, 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 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY, House Committee Substitute Favorable 5/26/10, submit the following report:

The Senate and the House agree to the following amendment to the House Committee Substitute Favorable 5/26/10, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 5/26/10, and substitute the attached Proposed Conference Committee Substitute S567-PCCS65089-SB-1.

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

Date Conferees approved report: July 1, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Fletcher L. Hartsell, Jr., Chair	S/Rick Glazier, Chair
S/Dan Blue	S/Pat B. Hurley
S/Joe Sam Queen	S/Timothy L. Spear
S/Josh Stein	S/Jennifer Weiss
S/Stan Bingham	
S/John Snow	

The text of the attached Proposed Conference Committee Substitute, S567-PCCS65089-SB-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE  
INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT,  
AND DEPENDENCY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7B-101(18a) reads as rewritten:

"As used in this Subchapter, unless the context clearly requires otherwise, the following words have the listed meanings:

...  
(18a) Responsible individual. – ~~An individual identified by the director as the person who is responsible for rendering a juvenile abused or seriously neglected.~~ A parent, guardian, custodian, or caretaker who abuses or seriously neglects a juvenile.

...."

**SECTION 2.** G.S. 7B-101 is amended by adding a new subdivision to read:

"As used in this Subchapter, unless the context clearly requires otherwise, the following words have the listed meanings:

...  
(19a) Serious neglect. – Conduct, behavior, or inaction of the juvenile's parent, guardian, custodian, or caretaker that evidences a disregard of consequences of such magnitude that the conduct, behavior, or inaction constitutes an unequivocal danger to the juvenile's health, welfare, or safety, but does not constitute abuse.

...."

**SECTION 3.** G.S. 7B-200(a)(9) reads as rewritten:

"(a) The court has exclusive, original jurisdiction over any case involving a juvenile who is alleged to be abused, neglected, or dependent. This

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jurisdiction does not extend to cases involving adult defendants alleged to be guilty of abuse or neglect.

The court also has exclusive original jurisdiction of the following proceedings:

- ...
- (9) ~~Petitions for expunction of an individual's name from the responsible individuals list~~ judicial review of a director's determination under Article 3A of this Chapter."

**SECTION 4.** G.S. 7B-311 reads as rewritten:

**"§ 7B-311. Central registry; responsible individuals list.**

(a) The Department of Health and Human Services shall maintain a central registry of abuse, neglect, and dependency cases and child fatalities that are the result of alleged maltreatment that are reported under this Article in order to compile data for appropriate study of the extent of abuse and neglect within the State and to identify repeated abuses of the same juvenile or of other juveniles in the same family. This data shall be furnished by county directors of social services to the Department of Health and Human Services and shall be confidential, subject to rules adopted by the Social Services Commission providing for its use for study and research and for other appropriate disclosure. Data shall not be used at any hearing or court proceeding unless based upon a final judgment of a court of law.

(b) ~~The Department shall also maintain a list of responsible individuals identified by county directors of social services as the result of investigative assessment responses.~~ individuals. The Department may provide information from this list to child caring institutions, child placing agencies, group home facilities, and other providers of foster care, child care, or adoption services that need to determine the fitness of individuals to care for or adopt children. The name of an individual who has been identified as a responsible individual shall be placed on the responsible individuals list only after one of the following:

- (1) The individual is properly notified pursuant to G.S. 7B-320 and fails to file a petition for judicial review in a timely manner.
- (2) The court determines that the individual is a responsible individual as a result of a hearing either:
  - a. On the individual's petition for judicial review;
  - or
  - b. On a juvenile petition that alleges and seeks a determination that the individual is a responsible person.
- (3) The individual is criminally convicted as a result of the same incident involved in an investigative assessment response.

(c) It is unlawful for any public official or public employee to knowingly and willfully release information from either the central registry or the responsible individuals list to a person who is not authorized to receive the

information. It is unlawful for any person who is authorized to receive information from the central registry or the responsible individuals list to release that information to an unauthorized person. It is unlawful for any person who is not authorized to receive information from the central registry or the responsible individuals list to access or attempt to access that information. A person who commits an offense described in this subsection is guilty of a Class 3 misdemeanor.

(d) The Social Services Commission shall adopt rules regarding the operation of the central registry and responsible individuals list, ~~including~~ including procedures for each of the following:

- (1) ~~Procedures for filing~~ Filing data.
- (2) ~~Procedures for notifying~~ Notifying an individual that the individual has been determined by the director to be a responsible individual of a determination of abuse or serious neglect. ~~individual.~~
- (3) ~~Procedures for correcting~~ Correcting and expunging information.
- (4) Determining persons who are authorized to receive information from the responsible individuals list.
- (5) Releasing information from the responsible individuals list to authorized requestors.
- (6) Gathering statistical information.
- (7) Keeping and maintaining information placed in the registry and on the responsible individuals list.
- (8) ~~A definition of "serious neglect".~~

**SECTION 5.** The title of Article 3A of Chapter 7B of the General Statutes and G.S. 7B-320 read as rewritten:

"Article 3A.

~~Expunction;~~ Judicial Review; Responsible Individuals List.

"§ 7B-320. **Notification to individual determined to be a responsible for abuse or substantial neglect.** ~~individual.~~

(a) Within five working days after the completion of an investigative assessment response that results in a determination of abuse or serious ~~neglect,~~ neglect and the identification of a responsible individual, the director ~~shall notify the Department of the results of the assessment and shall give personal~~ personally deliver written notice of the determination to the ~~responsible individual of the determination.~~ identified individual.

(b) If personal written notice is not ~~obtained~~ made within 15 days of the ~~determination being made,~~ determination, the director shall send the notice to the ~~responsible identified~~ identified individual by registered or certified mail, restricted delivery, return receipt requested, and addressed to the ~~responsible~~ responsible individual at the individual's last known address. ~~Only the responsible individual may receive the notice.~~

(c) The notice shall include all of the following:

- (1) A statement informing the individual of the nature of the investigative assessment response and whether the director determined abuse or serious neglect or both.

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- (1a) A statement that the individual has been identified as a responsible individual.
- (2) A statement summarizing the substantial evidence supporting the director's determination without identifying the reporter or collateral contacts.
- (3) A statement informing the individual that unless the individual petitions for judicial review, the individual's name ~~has been~~ will be placed on the responsible individuals list as provided in G.S. 7B-311, and that the Department of Health and Human Services may provide information from this list to child caring institutions, child placing agencies, group home facilities, and other providers of foster care, child care, or adoption services that need to determine the fitness of individuals to care for or adopt children.
- (4) A clear description of the actions the individual must take to have his or her name removed from the responsible individuals list. The description shall include information regarding how to request an expunction by the director of the individual's name from the responsible individuals list and procedures for seeking review by the district attorney and for seeking to seek judicial review of the director's decision not to remove the individual's name from the list.~~determination.~~

(d) In addition to the notice, the director shall provide the individual with a copy of a petition for judicial review form and instructions for how to file and serve the petition."

**SECTION 6.** G.S. 7B-321 and G.S. 7B-322 are repealed.

**SECTION 7.** G.S. 7B-323 reads as rewritten:

**"§ 7B-323. Petition for ~~expunction;~~ judicial review; district court.**

(a) Within 30-15 days of the receipt of notice of the director's decision under G.S. 7B-321(b) or (c), or within 30 days from the date of a determination by the district attorney under G.S. 7B-322, whichever is later, determination under G.S. 7B-320(a) or (b), an individual may file a petition for ~~expunction~~ judicial review with the district court of the county in which the abuse or serious neglect report arose. The request shall be by a petition for ~~expunction-judicial review~~ filed with the appropriate clerk of court's office with a copy delivered in person or by certified mail, return receipt requested, to the ~~director,~~ director who determined the abuse or serious neglect and identified the individual as a responsible individual. The petition for ~~expunction-judicial review~~ shall contain the name, date of birth, and address of the individual seeking ~~expunction-judicial review~~, the name of the juvenile who was the subject of the determination of abuse or serious neglect, and facts that invoke the jurisdiction of the court. Failure to timely file a petition for ~~expunction-judicial review~~ constitutes a waiver of the individual's right to file a petition for expunction and to a district court ~~hearing-hearing~~ and to contest the placement of the individual's name on the responsible individuals list.

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(b) The clerk of court shall maintain a separate docket for ~~expunction actions and upon receipt of a filed petition for expunction~~ judicial review actions. Upon the filing of a petition for judicial review, the clerk shall calendar the matter for hearing within 15 days from the date the petition is filed at a session of district court hearing juvenile matters and ~~matters~~ or, if there is no such session, at the next session of juvenile court. The clerk shall send notice of the hearing to the petitioner and to the ~~director~~ director who determined the abuse or serious neglect and identified the individual as a responsible individual. Upon the request of a party, the court shall close the hearing to all persons, except officers of the court, the parties, and their witnesses. At the hearing, the director shall have the burden of proving by a preponderance of the evidence the ~~correctness of the director's decision determining~~ abuse or serious neglect and identifying the identification of the individual seeking ~~expunction~~ judicial review as a responsible individual. The hearing shall be before a judge without a jury. The rules of evidence applicable in civil cases shall apply. However, the ~~court shall have discretion to~~ court, in its discretion, may permit the admission of any reliable and relevant evidence if the general purposes of the rules of evidence and the interests of justice will best be served by its admission.

(b1) Upon receipt of a notice of hearing for judicial review, the director who identified the individual as a responsible individual shall review all records, reports, and other information gathered during the investigative assessment response. If after a review, the director determines that there is not sufficient evidence to support a determination that the individual abused or seriously neglected the juvenile and is a responsible individual, the director shall prepare a written statement of the director's determination and either deliver the statement personally to the individual seeking judicial review or send the statement by first-class mail. The director shall also give written notice of the director's determination to the clerk to be placed in the court file, and the judicial review hearing shall be cancelled with notice of the cancellation given by the clerk to the petitioner.

(c) At the hearing, the following rights of the parties shall be preserved:

- (1) The right to present sworn evidence, law, or rules that bear upon the case.
- (2) The right to represent themselves or obtain the services of an attorney at their own expense.
- (3) The right to subpoena witnesses, cross-examine witnesses of the other party, and make a closing argument summarizing the party's view of the case and the law.

(d) Within 30 days after completion of the hearing, the court shall enter a ~~signed, written~~ order containing findings of fact and conclusions of law. ~~A~~ The clerk shall serve a copy of the order ~~shall be served~~ on each party or the party's attorney of record. If the court concludes that the director has not established by a preponderance of the evidence ~~the correctness of the determination of~~ abuse or serious neglect or the identification of the responsible individual, the court shall reverse the director's ~~decision~~ determination and order

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the director ~~to notify the Department of Health and Human Services to expunge~~ not to place the individual's name from on the responsible individuals list. If the court concludes that ~~sufficient evidence has not been presented to support a determination of abuse, but there is sufficient evidence to support a determination of~~ the director has established by a preponderance of the evidence abuse or serious neglect and the identification of the individual seeking expunction ~~judicial review~~ as a responsible individual, the court shall ~~modify the director's decision and order the director to notify the Department of Health and Human Services to change the entry~~ place the individual's name on the responsible individuals list to that of neglect list, consistent with the court's order.

(e) Notwithstanding any time limitations contained in this section or the provisions of ~~G.S. 7B-324(a)(3) or (4)~~, G.S. 7B-324(a)(4), upon the filing of a petition for judicial review by an individual identified by a director as a responsible individual, ~~the~~ a district court of the county in which the abuse or neglect report arose may review a director's determination of abuse or serious neglect at any time if the review serves the interests of justice or for extraordinary circumstances. If the district court undertakes such a review, a hearing shall be held pursuant to this section at which the director shall have the burden of establishing by a preponderance of the evidence abuse or serious neglect and the identification of the individual seeking judicial review as a responsible individual. If the court concludes that the director has not established by a preponderance of the evidence abuse or serious neglect or the identification of the responsible individual, the court shall reverse the director's determination and order the director to expunge the individual's name from the responsible individuals list.

(f) A party may appeal the district court's decision under G.S. 7A-27(c)."

**SECTION 8.** G.S. 7B-324 reads as rewritten:

"§ 7B-324. **Persons ineligible to ~~request expunction;~~ petition for judicial review; stay of ~~expunction~~ judicial review proceeding pending juvenile court case.**

(a) ~~Any~~ An individual who has been identified by a director as a responsible individual ~~in an abuse or serious neglect case is not entitled to challenge the placement of the individual's name on the responsible individuals list~~ may not petition for judicial review if any of the following apply:

- (1) The individual is criminally convicted as a result of the same incident. The district attorney shall inform the director of the result of the criminal proceeding, ~~and the director shall immediately notify the Department of Health and Human Services. The Department shall consider this information when determining whether the individual's name should remain on or be expunged from the responsible individuals list.~~ proceeding.
- (2) The individual is a respondent in a juvenile court proceeding regarding abuse or neglect resulting from the



~~same incident. The director shall immediately notify the Department of Health and Human Services. The Department shall consider this information when determining whether the individual's name should remain on or be expunged from the responsible individuals list.~~  
incident that concludes with an adjudication of abuse or neglect and a determination that the individual has abused or seriously neglected the juvenile and is a responsible individual.

- (3) ~~That individual fails to make a timely request for expunction with the director who made the determination of abuse or serious neglect and identified the individual as a responsible individual.~~
- (4) ~~That~~ After proper notice, the individual fails to file a petition for expunction-judicial review with the district court in a timely manner.
- (5) ~~That individual fails to keep the county department of social services informed of the individual's current address during any request for expunction so that the individual may receive notification of the director's decisions.~~

(b) ~~If, prior to or during any proceeding provided for in this section, if an individual seeking expunction-judicial review is named as a respondent in a juvenile court case resulting from the same incident, the director, the district attorney, the district court judge, or the Court of Appeals shall stay any further proceedings for the expunction of that individual's name from the responsible individuals list until the juvenile court case is concluded or dismissed.~~  
the district court judge may stay the judicial review proceeding or consolidate the proceeding with the juvenile court case. If a the juvenile court case resulting from the same determination of abuse or serious neglect is involuntarily dismissed, or concludes without an adjudication of abuse or neglect, or with an adjudication that differs from the prior determination, neglect and a determination that the individual has abused or seriously neglected a juvenile and is a responsible individual, the director shall notify the Department of Health and Human Services to expunge not place the individual's name from on the responsible individuals list or modify the prior decision of the director accordingly.  
If a juvenile court case concludes with an adjudication of abuse or neglect and a determination that the individual has abused or seriously neglected a juvenile and is a responsible individual, the director shall place that individual's name on the responsible individuals list, consistent with the court's order."

**SECTION 9.** G.S. 7B-402(a) reads as rewritten:

"(a) The petition shall contain the name, date of birth, address of the juvenile, the name and last known address of the juvenile's parent, guardian, or custodian, and allegations of facts sufficient to invoke jurisdiction over the juvenile. A petition alleging that a juvenile is abused or neglected may also

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allege and seek a determination that a respondent is a responsible individual as defined in G.S. 7B-101(18a). A person whose actions resulted in a conviction under G.S. 14-27.2 or G.S. 14-27.3 and the conception of the juvenile need not be named in the petition. The petition may contain information on more than one juvenile when the juveniles are from the same home and are before the court for the same reason."

**SECTION 10.** G.S. 7B-406(b) reads as rewritten:

"(b) A summons shall be on a printed form supplied by the Administrative Office of the Courts and shall ~~include~~include each of the following:

- (1) Notice of the nature of the ~~proceeding~~proceeding.
- (2) Notice of any right to counsel and information about how to seek the appointment of counsel prior to a ~~hearing~~hearing.
- (2a) Notice that, if the petition alleges and the court determines that the respondent is a responsible individual, the respondent's name will be placed on the responsible individuals list as provided in G.S. 7B-311, and that the Department of Health and Human Services may provide information from the list to child caring institutions, child placing agencies, group home facilities, and other providers of foster care, child care, or adoption services that need to determine the fitness of individuals to care for or adopt children.
- (3) Notice that, if the court determines at the hearing that the allegations of the petition are true, the court will conduct a dispositional hearing to consider the needs of the juvenile and enter an order designed to meet those needs and the objectives of the ~~State~~and State.
- (4) Notice that the dispositional order or a subsequent order:
  - a. May remove the juvenile from the custody of the parent, guardian, or custodian.
  - b. May require that the juvenile receive medical, psychiatric, psychological, or other treatment and that the parent participate in the treatment.
  - c. May require the parent to undergo psychiatric, psychological, or other treatment or counseling for the purpose of remedying the behaviors or conditions that are alleged in the petition or that contributed to the removal of the juvenile from the custody of that person.
  - d. May order the parent to pay for treatment that is ordered for the juvenile or the parent.
  - e. May, upon proper notice and hearing and a finding based on the criteria set out in G.S. 7B-1111, terminate the parental rights of the respondent parent."

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**SECTION 11.** G.S. 7B-800 reads as rewritten:

**"§ 7B-800. Amendment of petition.**

The court, in its discretion, may permit a petition to be amended when the amendment does not change the nature of the conditions upon which the petition is based. The court shall direct the manner in which an amended petition shall be served and the time allowed for a party to prepare after the petition has been amended."

**SECTION 12.** G.S. 7B-805 reads as rewritten:

**"§ 7B-805. Quantum of proof in adjudicatory hearing.**

The allegations in a petition alleging ~~abuse, neglect, or dependency~~ that a juvenile is abused, neglected, or dependent shall be proved by clear and convincing evidence. Allegations in a petition alleging that a respondent is a responsible individual who has abused or seriously neglected a juvenile shall be proved by a preponderance of the evidence."

**SECTION 13.** G.S. 7B-807 is amended by adding a new subsection to read:

"(a1) After an adjudication that a juvenile is abused or neglected, if the petition alleges and the court determines by a preponderance of the evidence that a respondent has abused or seriously neglected a juvenile and is a responsible individual, the court shall order the placement of that individual's name on the responsible individuals list as provided in G.S. 7B-311."

**SECTION 14.** This act is effective when it becomes law.

The Conference Report is placed on the Calendar for Wednesday, July 7, for adoption.

## REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee:**

**H.B. 1765** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; AND TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS, 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 30547, which changes the title upon concurrence to read **H.B. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER, is adopted and engrossed.

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 466** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, AND TO AUTHORIZE SPECIFIED TELEPHONE COMPANY CUSTOMER SATISFACTION CALLS, 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 466, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009, AND TO AUTHORIZE SPECIFIED TELEPHONE COMPANY CUSTOMER SATISFACTION CALLS, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/15/10, submit the following report:

The House and Senate agree to the following amendments to the Senate Rules and Operations of the Senate Committee Substitute, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/15/10, and the House concurs in the Senate Rules and Operations of the Senate Committee Substitute as amended:

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On page 1, lines 2 through 4, by rewriting those lines to read:

"AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.";

and on page 2, line 29, by rewriting the line to read:

"becomes effective, the Commission shall not do ~~either any~~ of the following:";

and on page 2, lines 33 and 34 by inserting between the lines:

"c. Impose any tariffing requirements on any of the local exchange company's services that were not tariffed as of the date of the election; or impose any constraints on the rates of the local exchange company's services that were subject to full pricing flexibility as of the date of election.";

and on page 3, line 12, by rewriting the line to read:

"exchange company.

g. Regulatory authority over the rates, terms, and conditions of wholesale services.";

and on page 3, lines 21 through 28, by rewriting those lines to read:

"**SECTION 4.** This act is effective when it becomes law.".

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

Date Conferees approved report: July 6, 2010.

*Conferees for the Senate*

S/Daniel G. Clodfelter, Chair

S/R. C. Soles, Jr.

S/Don Vaughan

S/Peter S. Brunstetter

S/Richard Stevens

S/Josh Stein

*Conferees for the House of Representatives*

S/Joe P. Tolson, Chair

S/Harold J. Brubaker

S/Lorene Coates

S/Julia C. Howard

The Conference Report, which changes the title, is placed on the Calendar for Wednesday, July 7, for adoption.

**CALENDAR** *(continued)*

**H.B. 144** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED

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FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST, objection to third reading by Senator Garrou earlier today.

Senator Garrou withdraws her objection to third reading.

The Senate Committee Substitute bill No. 2 passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

The Senate recesses at 2:33 P.M. to reconvene at 3:30 P.M. subject to ratification of bills and receipt of committee reports.

## RECESS

### ENROLLED BILLS AND RESOLUTIONS

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

**H.B. 382**, AN ACT TO CREATE THE HEALTH CHOICE PROGRAM REVIEW PROCESS TO CONTINUE THE CURRENT REVIEW PROCESS FOR PROGRAM APPLICANTS AND RECIPIENTS APPEALING ENROLLMENT AND ELIGIBILITY DECISIONS, AND CREATE A REVIEW PROCESS FOR PROGRAM RECIPIENTS TO APPEAL HEALTH SERVICES DECISIONS, AND TO ADD THE HEALTH SERVICES REVIEW PROCESS TO THE AGENCIES AND PROCEEDINGS CURRENTLY EXEMPTED FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

### CALENDAR *(continued)*

**H.B. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF

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GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, temporarily displaced earlier today.

Upon motion of Senator Nesbitt, the Chair orders, without objection, the Senate Committee Substitute bill No. 3 temporarily displaced.

**H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO ESTABLISH THE YADKIN RIVER TRUST; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, temporarily displaced earlier today.

Senator Clodfelter offers Amendment No. 1 which is adopted (47-1).

Senator Goodall offers Amendment No. 2.

The Chair rules that Amendment No. 2 is not germane.

Senator Hartsell offers Amendment No. 3 which is adopted (46-1), and changes the title upon concurrence to read **H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill, as amended, temporarily displaced.

**H.B. 1802** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, temporarily displaced earlier today.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO

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CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES.

Upon motion of Senator Goss, the Chair orders, without objection, the Senate Committee Substitute bill No. 3 temporarily displaced.

### SENATE PAGES

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

Taylor Adams, Gastonia; Austin Andrews, Hamlet; Sheuna Battle, Rocky Mount; Zach Britt, Winston-Salem; Luke Brogden, Wilmington; Allen Canaday, Burlington; David Chappell, Raleigh; Morgan Christianson, Fayetteville; Mary Alice Cox, Burlington; Miranda Curlee, Charlotte; Trafton Dinwiddie, Raleigh; Nick Hall, Raleigh; Dixon Holland, Greensboro; Jennifer Howard, Clemmons; Jenna Hutcheson, Durham; B'Renda Hutchins, Goldsboro; Will Inabnit III, Burlington; Courtney Jennings, Clayton; Becca Jordan, Burlington; Paul Julian, Carrboro; Tayte Kean, Raleigh; Jarrett Massenburg, Raleigh; Katie McDonnell, Raleigh; Lydia Parker, Chapel Hill; Henry Pollitt, Raleigh; Sedonia Scott, Goldsboro; Andrew Sigarto, Raleigh; Jenny Summer, Raleigh; David Torres, Raleigh; Jason Trull, Mount Pleasant; Izzy Vaughan-Jones, Mocksville and Caroline Williams, Fayetteville.

The Senate recesses at 4:11 P.M. to reconvene at 4:45 P.M.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

### WITHDRAWAL FROM COMMITTEE

**S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL

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ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS, re-referred to the **Appropriations/Base Budget Committee** on June 7.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the Calendar for Wednesday, July 7, 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 7.

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1136**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN EXECUTIVE BRANCH EMPLOYEES FROM REGISTERING AS A LOBBYIST FOR SIX MONTHS AFTER LEAVING EMPLOYMENT WITH THE STATE, 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 30548, which changes the title upon concurrence to read **H.B. 1136** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE PERSONAL REPRESENTATIVE OF A DECEASED CANDIDATE WHO DID NOT FILE A WRITTEN DESIGNATION PRIOR TO DEATH TO FILE SUCH WRITTEN DESIGNATION WITHIN NINETY DAYS OF DEATH, is adopted and engrossed.

Upon motion of Senator Nesbitt, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

### CALENDAR *(continued)*

**H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO ESTABLISH THE YADKIN RIVER TRUST; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, as amended, temporarily displaced earlier today.

Senator Clodfelter offers Amendment No. 4 which is adopted (45-3), and changes the title upon concurrence to read **H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING

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ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO ESTABLISH THE YADKIN RIVER TRUST; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO CLARIFY THE APPLICATION OF THE ENVIRONMENTAL POLICY ACT TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVE PAYMENTS.

The Senate Committee Substitute bill, as amended, 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, Blue, Boseman, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Garrou, Graham, Hartsell, Hoyle, Jacumin, Jenkins, Jones, McKissick, Nesbitt, Purcell, Queen, Soles, Stein, Stevens, Swindell, Vaughan and Walters---32.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Goodall, Goss, Hunt, Kinnaird, Preston, Rucho, Snow and Tillman---16.

The Senate Committee Substitute bill, as amended, remains on the Calendar for Wednesday, July 7, upon third reading.

**H.B. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, temporarily displaced earlier today.

Senator Goss offers Amendment No. 1 which is adopted (48-0).

Senator Clodfelter offers Amendment No. 2 which is adopted (48-0).

The Senate Committee Substitute bill No. 3, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1136** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE PERSONAL REPRESENTATIVE OF A DECEASED

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CANDIDATE WHO DID NOT FILE A WRITTEN DESIGNATION PRIOR TO DEATH TO FILE SUCH WRITTEN DESIGNATION WITHIN NINETY DAYS OF DEATH, placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

#### WITHDRAWAL FROM COMMITTEE

**H.B. 696**, A BILL TO BE ENTITLED AN ACT ESTABLISHING MOTORCYCLE AWARENESS MONTH, referred to the **Rules and Operations of the Senate Committee** on April 6, 2009.

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

Upon motion of Senator Basnight, seconded by Senator Dickson, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Wednesday, July 7, at 2:00 P.M.

#### SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

**S.B. 354** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PERMIT CONTINUING CARE RETIREMENT COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING, for concurrence in the House Committee Substitute bill No. 3.

The House Committee Substitute bill No. 3 is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 655** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS

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LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 1298** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE CERTAIN TOWNS IN DAVIE COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE MONTGOMERY AND ANSON COUNTIES TO EACH LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 1362** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**H.B. 1905**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

Referred to the **Finance Committee**.

**H.B. 1944**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY TAXES.

Referred to the **Finance Committee**.

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**H.B. 2050** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM REGARDING MEETINGS OF THE CITY COUNCIL.

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

**H.B. 2059**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM TO RECEIVE BIDS ELECTRONICALLY IN ADDITION TO OR INSTEAD OF PAPER BIDS WHEN LETTING CONTRACTS ON INFORMAL BIDS.

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

### CONFERENCE REPORT

Senator Hoyle, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1249** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL, 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 1249, A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL, Senate Commerce Committee Substitute Adopted 6/1/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Commerce Committee Substitute Adopted 6/1/10, and the House concurs in the Senate Commerce Committee Substitute Adopted 6/1/10 as amended:

Delete the entire Senate Commerce Committee Substitute Adopted 6/1/10, and substitute the attached Proposed Conference Committee Substitute H1249-PCCS11147-MC-1.

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

Date Conferees approved report: June 6, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/David W. Hoyle, Chair	S/Bruce Goforth, Chair
S/Margaret Highsmith Dickson, Chair	S/Harold J. Brubaker S/Pryor Gibson

The text of the attached Proposed Conference Committee Substitute, H1249-PCCS11147-MC-1 is as follows:

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## A BILL TO BE ENTITLED

## AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105-277.1D reads as rewritten:

**"§ 105-277.1D. Inventory property tax deferral.**

(a) Classification. – A residence ~~owned and~~ constructed by a builder and owned by the builder or a business entity of which the builder is a member, as defined in G.S. 105-277.2, is designated a special class of property under Section 2(2) of Article V of the North Carolina Constitution and is taxable in accordance with this section. For purposes of this section, a "residence" is an improvement, other than remodeling, renovating, rehabilitating, or refinishing, by a builder to real property that is intended to be sold and used as an individual's residence, that is unoccupied, and for which a certificate of occupancy authorized by law has been issued.

(b) Deferred Taxes. – ~~A builder~~An owner may defer the portion of tax imposed on real property that represents the increase in value of the property attributable solely to improvements resulting from the construction by the builder of a residence on the property. The difference between the taxes due under this section and the taxes that would have been payable in the absence of this section are a lien on the real property of the taxpayer as provided in G.S. 105-355(a). The difference in taxes for the fiscal years preceding the current tax year shall be carried forward in the records of the taxing unit or units as deferred taxes. The deferred taxes are due and payable in accordance with G.S. 105-277.1F when the property loses its eligibility for deferral because of the occurrence of a disqualifying event. A disqualifying event occurs at the earliest of (i) when the ~~builder-owner~~ transfers the residence, (ii) when the residence is occupied by the ~~builder-owner~~ or by someone other than the ~~builder-owner~~ with the ~~builder's-owner's~~ consent, (iii) five years from the time the improved property was first subject to being listed for taxation by the ~~builder-owner~~, or (iv) three years from the time the improved property first received the property tax benefit provided by this section. On or before September 1 of each year, the collector shall notify each ~~builder-owner~~ to whom a tax deferral has previously been granted of the accumulated sum of deferred taxes and interest.

(c) Creditor Limitations. – A mortgagee or trustee that elects to pay any tax deferred by the ~~builder-owner~~ subject to a mortgage or deed of trust does not acquire a right to foreclose as a result of the election. Except for requirements dictated by federal law or regulation, any provision in a mortgage, deed of trust, or other agreement that prohibits the ~~builder-owner~~ from deferring taxes on property under this section is void.

(d) Construction. – This section does not affect the attachment of a lien for personal property taxes against a tax-deferred residence.

(e) Application. – An application for property tax relief provided by this section should be filed during the regular listing period but may be filed after the regular listing period upon a showing of good cause by the applicant for failure to make a timely application, as determined and approved by the board of equalization and review or, if that board is not in session, by the board of county

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commissioners. An untimely application approved under this subsection applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. Decisions of the county board may be appealed to the Property Tax Commission. Persons may apply for this property tax relief by entering the appropriate information on a form made available by the assessor under G.S. 105-282.1."

**SECTION 2.** This act is effective for taxes imposed for taxable years beginning on or after July 1, 2010.

The Conference Report is placed on the Calendar for Wednesday, July 7, for adoption.

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

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

**S.B. 1015** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE HOMEOWNER AND HOMEBUYER PROTECTION ACT TO PROHIBIT HOME FORECLOSURE RESCUE SCAMS IN WHICH A TRANSFEROR IS INDUCED TO SELL PROPERTY FOR LESS THAN FIFTY PERCENT OF ITS FAIR MARKET VALUE TO AVOID FORECLOSURE, TO PROVIDE PROTECTIONS IN LEASE OPTION CONTRACTS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND SPECIFY THE CONSEQUENCES OF A SELLER'S DEFAULT ON A LOAN SECURED BY A LIEN ON THE PROPERTY, TO PROVIDE PROTECTIONS IN CONTRACT FOR DEED TRANSACTIONS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND INVOLVE PROPERTY TO WHICH THE SELLER HOLDS TITLE, AND TO MAKE VIOLATION OF CHAPTERS 47G AND 47H OF THE GENERAL STATUTES A BASIS FOR DISCIPLINE UNDER THE MANUFACTURED HOMES LICENSING ACT, 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 7, for concurrence.

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR.

The Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

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**S.B. 675** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT GIVING OR RECEIVING REMUNERATION RELATED TO THE MAKING OF REFERRALS OR PURCHASE/LEASE ARRANGEMENTS THAT LEAD TO MEDICAID PAYMENTS, 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 7, for concurrence.

**S.B. 716** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN BY PROHIBITING CAMPAIGN CONTRIBUTIONS BY CERTAIN CONTRACTORS AND CLARIFYING CRIMINAL STATUTES ON SELF DEALING; TO CREATE THE PUBLIC FUNDING OF COUNCIL OF STATE ELECTIONS COMMISSION; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES AND TO INFORMATION RELATED TO STATE CONTRACTS AND GRANTS; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY CHANGING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO CODIFY CERTAIN POSITIONS IN STATE GOVERNMENT AS A PUBLIC SERVANT UNDER THE STATE GOVERNMENT ETHICS ACT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS, INCLUDING CAMPAIGN CONTRIBUTIONS PRIOR TO APPOINTMENT; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO CLARIFY THE INDIRECT GIFT BAN AND CLARIFY REPORTING BY LOBBYIST PRINCIPALS; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING AND CLARIFYING ACCESSIBILITY TO LEGISLATIVE RECORDS AND OTHER PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES TO THE ETHICS LAW; AND TO EXPEDITE REVIEW OF PRELIMINARY INVESTIGATIONS OF ALLEGATIONS OF WRONGDOING UNDER CHAPTERS 120 AND 138A OF THE GENERAL STATUTES, 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 7, for concurrence.

**S.B. 1119** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION, for concurrence in the House Committee Substitute bill.

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The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 1152** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 1176** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 18** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CEMETERY ACT BY REQUIRING PROOF OF A SUFFICIENT TRUST FUND OR SURETY BOND PRIOR TO APPROVING A CHANGE OF CONTROL OF A CEMETERY COMPANY, CHANGING THE INVESTMENTS OPTIONS FOR PERPETUAL CARE TRUST FUNDS, REQUIRING CEMETERY COMPANIES TO LIST THE COST OF OPENING AND CLOSING A GRAVE SPACE AS PART OF THE CONTRACT, PROHIBITING A CEMETERY COMPANY FROM REQUIRING A PURCHASER OF A GRAVE SPACE TO PURCHASE A VAULT FROM A PARTICULAR SELLER, INCREASING THE EXTENSION THAT MAY BE GIVEN TO A CEMETERY COMPANY FOR COMPLETION OF CONSTRUCTION OF MAUSOLEUMS, AND CREATING THE LEGISLATIVE STUDY COMMISSION ON THE NORTH CAROLINA CEMETERY ACT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Wednesday, July 7, for concurrence.

**S.B. 1136** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, 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 7, for concurrence.

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Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 9:14 P.M.

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## ONE HUNDRED AND FORTY-FIFTH DAY

Senate Chamber  
Wednesday, July 7, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Dear God, since only you and Senator Basnight know for sure when this Session will end, I don't want to risk not mentioning and offering gratitude to the men and women who have chosen to retire or not seek re-election when the Session concludes. In all likelihood, there will be a lump in the throats of Senators Albertson, Boseman, Dorsett, Goodall, Hoyle, Jacumin, Shaw, and Soles sometime in the next couple of days. Last year I reminded you that Browning Ware said that when we laugh and cry at the same moment, when we feel both up and down, filled but empty, tested by trusting, we're not crazy, we're experiencing grace. These Senators will probably experience those conflicting feelings in the days ahead. I hope they sense your grace. They have served you and the people of our State well here in the Senate and surely you will guide them to other places of service. I hope they trust you as their traveling companion. You promised to be with them. That is enough. We shall miss you, Senators, and all who were present said, Amen."

The Chair grants leaves of absence for today to Senator Hoyle and Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Tuesday, July 6, 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 Helene Zehnder from Cary, 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:

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**S.B. 740**, AN ACT TO GIVE COMMUNITY COLLEGE BOARDS ADDITIONAL FLEXIBILITY IN SETTING THE SALARY OF COMMUNITY COLLEGE PRESIDENTS.

**S.B. 1210**, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS TO INCREASE LICENSURE FEES UNDER THE ATHLETIC TRAINERS LICENSING ACT.

**S.B. 1246**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE, AND TO ALLOW MILITARY DEPENDANTS WHOSE PARENTS ARE DEPLOYED TO ATTEND SCHOOL BEFORE THE AGE OF FIVE IN NORTH CAROLINA IF ELIGIBLE IN THE STATE WHERE THE CHILD'S PARENT IS PERMANENTLY STATIONED.

**H.B. 1463**, 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 UPON THE CONSENT OF THE PARTIES, AND ALLOWING 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.

**H.B. 1703**, AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT DAY CARE PROGRAMS AND ADULT DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**H.B. 1714**, AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

**H.B. 1741**, AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE

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LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1762**, AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

**H.B. 1936**, AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM.

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

**S.B. 650**, AN ACT TO ALLOW A MEMBER OF THE CHATHAM COUNTY SCHOOL BOARD TO COMPLETE THE CURRENT TERM OF OFFICE DESPITE A MAPPING ERROR WHICH CAUSED HER TO BE ELECTED IN A DISTRICT WHERE SHE DID NOT RESIDE, AND TO VALIDATE ACTIONS OF THAT BOARD.

**S.B. 1114**, AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

**S.B. 1437**, AN ACT TO PROVIDE FOR ANNUAL ELECTION OF A MAYOR PRO TEMPORE BY THE HIGHLANDS TOWN BOARD.

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**H.B. 1736**, AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES.

**H.B. 2052**, AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT.

**H.J.R. 2078**, A JOINT RESOLUTION HONORING THE ONE HUNDRETH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA. (Res. 24)

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

**S.B. 1212**, AN ACT TO REPEAL THE LOCAL GOVERNMENT OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND AND TO ALLOW EACH UNIT OF LOCAL GOVERNMENT TO ESTABLISH A SEPARATE OPEB TRUST FUND THAT MAY THEN BE INVESTED BY THE DEPARTMENT OF STATE TREASURER.

**S.B. 1337**, AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 726**, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES RELATED TO EXPUNCTION OF RECORDS; TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; AND TO REQUIRE SEX OFFENDERS RESIDING IN THIS STATE TO REGISTER AS A SEX OFFENDER FOR CONVICTIONS OBTAINED OUTSIDE THIS STATE.

#### 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. 1121**, AN ACT AMENDING THE CHARTER OF THE CITY OF BURLINGTON TO AUTHORIZE THE CITY COUNCIL TO LEASE CITY-OWNED REAL PROPERTY IN ITS MUNICIPAL SERVICE DISTRICTS, FOR SUCH CONSIDERATION, UPON SUCH TERMS, AND UNDER SUCH CONDITIONS AS DETERMINED BY THE CITY COUNCIL. (Became law upon ratification, July 6, 2010 - S.L. 2010-53.)

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**S.B. 1421**, AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE. (Became law upon ratification, July 6, 2010 - S.L. 2010-54.)

**H.B. 2042**, AN ACT TO AUTHORIZE THE CITY OF SANFORD TO CONVEY BY PRIVATE SALE ITS REMAINING INTEREST IN A PARCEL OF LAND; AND TO PROVIDE THAT THE CITY OF KING MAY PROHIBIT THE ISSUANCE OF A BUILDING PERMIT TO A DELINQUENT TAXPAYER. (Became law upon ratification, July 6, 2010 - S.L. 2010-55.)

#### **CHANGES TO 2010 SENATE COMMITTEES**

Senator Dannelly Deputy President *Pro Tempore*, announces that Senator Soles is appointed as Vice Chairman of the Rules and Operations of the Senate Committee.

#### **BILLS ORDERED SENT TO THE GOVERNOR**

With unanimous consent, upon motion of Senator Soles, all bills ordered sent to the Governor will be sent by special message.

#### **REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

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

**H.B. 1905**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the bill is placed on today's Supplemental Calendar.

**H.B. 1944**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY TAXES, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the bill is placed on today's Supplemental Calendar.

By Senator Soles for the **Commerce Committee**:

**H.B. 1035**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR

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CONSTRUCTION PROJECT CONTRACTS AWARDED BY THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS, 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 30551, which changes the title upon concurrence to read **H.B. 1035** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR CONSTRUCTION PROJECT CONTRACTS AWARDED BY STATE DEPARTMENTS, STATE AGENCIES, AND THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

By Senator Foriest for the **Education/Higher Education Committee**:

**H.B. 1757** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP GUIDELINES FOR PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES KINDERGARTEN THROUGH EIGHT, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the Committee Substitute bill No. 2 is place on today's Supplemental Calendar.

**H.B. 593** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE SCHOOL STARTING DATE FOR STUDENTS AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO CONDUCT A PUBLIC HEARING BEFORE DETERMINING THE OPENING AND CLOSING DATES FOR THE PUBLIC SCHOOLS, 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 50970, which changes the title upon concurrence to read **H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

### CALENDAR

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

**S.B. 354** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PERMIT CONTINUING CARE RETIREMENT

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COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Soles, the House Committee Substitute bill No. 3 is withdrawn from today's Calendar and is re-referred to the **Finance Committee**.

**S.B. 716** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN BY PROHIBITING CAMPAIGN CONTRIBUTIONS BY CERTAIN CONTRACTORS AND CLARIFYING CRIMINAL STATUTES ON SELF DEALING; TO CREATE THE PUBLIC FUNDING OF COUNCIL OF STATE ELECTIONS COMMISSION; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES AND TO INFORMATION RELATED TO STATE CONTRACTS AND GRANTS; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY CHANGING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO CODIFY CERTAIN POSITIONS IN STATE GOVERNMENT AS A PUBLIC SERVANT UNDER THE STATE GOVERNMENT ETHICS ACT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS, INCLUDING CAMPAIGN CONTRIBUTIONS PRIOR TO APPOINTMENT; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO CLARIFY THE INDIRECT GIFT BAN AND CLARIFY REPORTING BY LOBBYIST PRINCIPALS; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING AND CLARIFYING ACCESSIBILITY TO LEGISLATIVE RECORDS AND OTHER PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES TO THE ETHICS LAW; AND TO EXPEDITE REVIEW OF PRELIMINARY INVESTIGATIONS OF ALLEGATIONS OF WRONGDOING UNDER CHAPTERS 120 AND 138A OF THE GENERAL STATUTES, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Soles, the House Committee Substitute bill No. 2 is withdrawn from today's Calendar and is re-referred to the **Rules and Operations of the Senate Committee**.

**S.B. 675** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT GIVING OR RECEIVING REMUNERATION

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RELATED TO THE MAKING OF REFERRALS OR PURCHASE/LEASE ARRANGEMENTS THAT LEAD TO MEDICAID PAYMENTS.

Upon motion of Senator Purcell, the House Committee Substitute bill No. 2 is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 8.

**S.B. 1136** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Upon motion of Senator Rucho, the House Committee Substitute bill No. 2 is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 8.

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

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

**H.B. 1812** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

Referred to the **Judiciary I Committee**.

**H.B. 1814**, A BILL TO BE ENTITLED AN ACT EXEMPTING CATAWBA COUNTY FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

Referred to the **Finance Committee**.

**H.B. 2066** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

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

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**CALENDAR** *(continued)*

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR.

Upon motion of Senator Blue, the Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Thursday, July 8.

**H.B. 1921** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY AND BY YADKIN COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO.

The Senate Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**S.B. 1298** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE CERTAIN TOWNS IN DAVIE COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE MONTGOMERY AND ANSON COUNTIES TO EACH LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX, for concurrence in the House Committee Substitute bill upon second reading.

Upon motion of Senator Walters, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 44, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Nesbitt, Preston, Purcell, Queen, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---44.

Voting in the negative: Senators Forrester, Rouzer and Rucho---3.

The House Committee Substitute bill remains on the Calendar for Thursday, July 8, for concurrence upon third reading.

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**S.B. 1362** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Kinnaird, the Senate concurs in the House Committee Substitute bill (46-0) and the bill is ordered enrolled.

**H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, as amended on second reading.

Senator Clodfelter offers Amendment No. 5 which is adopted (47-0).

Senator Jenkins offers Amendment No. 6 which is adopted (46-0), and changes the title upon concurrence to read **H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; TO CLARIFY THE APPLICATION OF THE ENVIRONMENTAL POLICY ACT TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVE PAYMENTS; AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA.

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 30, noes 16, as follows:

Voting in the affirmative: Senators Albertson, Atwater, Basnight, Berger of Franklin, Bingham, Blue, Boseman, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Garrou, Hartsell, Jacumin, Jenkins, Jones, Nesbitt, Purcell, Queen, Snow, Soles, Stein, Stevens, Swindell, Vaughan and Walters---30.

Voting in the negative: Senators Allran, Apodaca, Berger of Rockingham, Blake, Brock, Brown, East, Forrester, Goodall, Goss, Hunt, Kinnaird, Preston, Rouzer, Rucho and Tillman--16.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives for concurrence by special message.

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**S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, AND TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REPORT ANNUALLY TO THE STATE BOARD OF EDUCATION ON THE STRATEGIES AND SUCCESS OF FOCUSED INTERVENTION FOR THOSE STUDENTS, with Amendment No. 1 pending.

Senator Davis offers Amendment No. 2 as a Substitute Amendment for Amendment No. 1 which is adopted (28-20), and changes the title to read **S.B. 1248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO CERTIFY COMPLIANCE ANNUALLY TO THE STATE BOARD OF EDUCATION, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PERIODICALLY REVIEW DATA ON THE PROGRESS OF IDENTIFIED STUDENTS AND REPORT TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

The Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

**S.J.R. 1460**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES R. TURNER, FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Vaughan, the joint resolution is read in its entirety.

Senator Vaughan offers Amendment No. 1 which is adopted.

The joint resolution, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered engrossed sent to the House of Representatives by special message.

Upon motion of Senator Vaughan, the Chair extends courtesies of the gallery to Senator Turner's family: his wife, Carolyn Simpkins Turner; his children, Susannah Turner Harvell and William Joel Turner; brothers, Wilfred Turner and his wife, Elena and Walter R. Turner and his wife, Pamela; grandchildren, Blythe, Will and Jack Turner, and other family and friends.

**H.B. 1377** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE SCHOOLS ACT.

Senator Snow offers Amendment No. 1 which is adopted (47-0).

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The Senate Committee Substitute bill, as amended, passes its second reading (47-0).

Senator Clodfelter objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 8, upon third reading.

**H.B. 1398** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES.

The Senate Committee Substitute bill passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1708** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Senator Jenkins offers Amendment No. 1 which is adopted (37-11), and changes the title upon concurrence to read **H.B. 1708** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS

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NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND TO PROVIDE THAT THE COASTAL RESOURCES COMMISSION MAY AUTHORIZE THE CONSTRUCTION OF A TERMINAL GROIN BY VARIANCE IF CERTAIN CRITERIA ARE MET.

The Senate Committee Substitute bill, as amended, passes its third reading (45-3) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1726** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES.

Senator East offers Amendment No. 1 which fails of adoption (23-24).

Senator East offers Amendment No. 2 which is adopted (25-23).

The Committee Substitute bill No. 2, as amended, passes its third reading (35-13) and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 2 by special message.

**S.B. 1177** (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 upon third reading.

Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill on 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1216** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO

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REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW, for concurrence in the House Committee Substitute bill No. 2 upon third reading.

Upon motion of Senator Blue, the Senate concurs in the House Committee Substitute bill No. 2 on its third reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---45.

Voting in the negative: Senators Brock, Goodall and Rucho---3.

The House Committee Substitute bill No. 2 is ordered enrolled and sent to the Governor by special message.

**S.B. 655** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, for concurrence in the House Committee Substitute bill upon second reading.

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 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: Senators Forrester and Rouzer---2.

The House Committee Substitute bill remains on the Calendar for Thursday, July 8, for concurrence upon third reading.

**S.B. 18** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CEMETERY ACT BY REQUIRING PROOF OF A SUFFICIENT TRUST FUND OR SURETY BOND PRIOR TO APPROVING A CHANGE OF CONTROL OF A CEMETERY COMPANY, CHANGING THE INVESTMENTS OPTIONS FOR PERPETUAL CARE TRUST FUNDS, REQUIRING CEMETERY COMPANIES TO LIST THE COST OF OPENING AND CLOSING A GRAVE SPACE AS PART OF THE CONTRACT, PROHIBITING A

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CEMETERY COMPANY FROM REQUIRING A PURCHASER OF A GRAVE SPACE TO PURCHASE A VAULT FROM A PARTICULAR SELLER, INCREASING THE EXTENSION THAT MAY BE GIVEN TO A CEMETERY COMPANY FOR COMPLETION OF CONSTRUCTION OF MAUSOLEUMS, AND CREATING THE LEGISLATIVE STUDY COMMISSION ON THE NORTH CAROLINA CEMETERY ACT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Goss, 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. 1015** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENACT THE HOMEOWNER AND HOMEBUYER PROTECTION ACT TO PROHIBIT HOME FORECLOSURE RESCUE SCAMS IN WHICH A TRANSFEROR IS INDUCED TO SELL PROPERTY FOR LESS THAN FIFTY PERCENT OF ITS FAIR MARKET VALUE TO AVOID FORECLOSURE, TO PROVIDE PROTECTIONS IN LEASE OPTION CONTRACTS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND SPECIFY THE CONSEQUENCES OF A SELLER'S DEFAULT ON A LOAN SECURED BY A LIEN ON THE PROPERTY, TO PROVIDE PROTECTIONS IN CONTRACT FOR DEED TRANSACTIONS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND INVOLVE PROPERTY TO WHICH THE SELLER HOLDS TITLE, AND TO MAKE VIOLATION OF CHAPTERS 47G AND 47H OF THE GENERAL STATUTES A BASIS FOR DISCIPLINE UNDER THE MANUFACTURED HOMES LICENSING ACT, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Stein, the Senate concurs in the House Committee Substitute bill No. 2 (32-16) and the bill is ordered enrolled and sent to the Governor by special message.

#### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

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

**H.B. 1717** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR

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LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD, 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, 50973, is adopted and engrossed.

Upon motion of Senator Clodfelter, the Senate Committee Substitute bill No. 2 is placed on today's Supplemental Calendar.

#### **CALENDAR** *(continued)*

**S.B. 1119** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Blue, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1152** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS, for concurrence in the House Committee Substitute bill.

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. 1176** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Clodfelter, 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.

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

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

**H.J.R. 2080** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JIMMY REESE LOWRY, PUBLIC SERVANT.

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

**H.J.R. 1407**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF NORTH CAROLINA CENTRAL UNIVERSITY.

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

**CALENDAR** (*continued*)

**H.J.R. 2080** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JIMMY REESE LOWRY, PUBLIC SERVANT, placed earlier on today's Calendar.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered enrolled.

Upon motion of Senator Walters, the Chair extends courtesies of the gallery to Jim Lowry's family: his wife, Phyllis; his son, Chad; his daughter, Jayme and her husband Paul Burmeister, and their child Reece; his brothers, Robby and Harvey and friends.

**H.J.R. 1407**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF NORTH CAROLINA CENTRAL UNIVERSITY, placed earlier on today's Calendar.

The joint resolution passes its second reading (47-0) and, without objection, is read a third time and passes its third reading 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. 2081**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE ALBEMARLE ELECTRIC SYSTEM.

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

The joint resolution passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**CALENDAR** (*continued*)

**S.B. 567** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE

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INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (48-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 466** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (48-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 1249** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

Upon motion of Senator Dickson, the Senate adopts the Conference Report (47-1).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

The Senate recesses at 4:01 P.M. to reconvene at 5:15 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

## RECESS

## REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**S.B. 354** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PERMIT CONTINUING CARE RETIREMENT COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING, with a favorable report as to concurrence.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill No. 3 is placed on today's Supplemental Calendar for concurrence.

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By Senator Jones for the **State & Local Government Committee**:

**H.B. 1841** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the Committee Substitute bill is placed on today's Supplemental Calendar.

**H.B. 1893** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM, 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 60101, which changes the title upon concurrence to read **H.B. 1893** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM; TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW; AND TO REPEAL AND AMEND CERTAIN LOCAL ACTS WITH RESPECT TO HUNTING IN GREENE COUNTY, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

By Senator Foriest for the **Pensions & Retirement and Aging Committee**:

**H.B. 2066** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Upon motion of Senator Foriest, the Committee Substitute bill No. 2 is referred to the **Finance Committee**.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

#### WITHDRAWAL FROM CALENDAR

**H.B. 1377** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE SAFE SCHOOLS ACT, third reading objected to earlier today by Senator Clodfelter.

Senator Clodfelter withdraws his objection to third reading. Upon motion of Senator Soles, the Senate Committee Substitute bill is withdrawn from the Calendar of July 8 and placed on today's Calendar for immediate consideration.

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The Senate Committee Substitute bill, as amended on second reading, passes its third reading (44-0) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**CALENDAR** (*continued*)

**H.B. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER, temporarily displaced earlier today.

Senator Clodfelter offers Amendment No. 1 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence 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 7, 2010

Mr. 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. 1249** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

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

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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 7, 2010

Mr. 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. 466** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

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 7, 2010

Mr. 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. 567** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.

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 7, 2010

Pursuant to the Senate having adopted the report of the conferees earlier today, the President orders the bill enrolled and sent to the Governor by special message.

### SUPPLEMENTAL CALENDAR

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

**H.B. 1944**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY 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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, July 8, upon third reading.

**H.B. 1841** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY.

The Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 1893** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM; TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW; AND TO REPEAL AND AMEND CERTAIN LOCAL ACTS WITH RESPECT TO HUNTING IN GREENE COUNTY.

The Senate Committee Substitute bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1905**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, upon second reading.

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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, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill remains on the Calendar for Thursday, July 8, upon third reading.

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS.

Upon motion of Senator Nesbitt, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1035** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR CONSTRUCTION PROJECT CONTRACTS AWARDED BY STATE DEPARTMENTS, STATE AGENCIES, AND THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS.

Senator Berger of Rockingham offers Amendment No. 1 which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (30-18).

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 8, upon third reading.

**H.B. 1717** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD.

Senator Brock offers Amendment No. 1 which fails of adoption (12-36).

The Senate Committee Substitute bill No. 2 passes its second reading (47-1).

Senator Brock objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 8, upon third reading.

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**H.B. 1757** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP GUIDELINES FOR PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES KINDERGARTEN THROUGH EIGHT, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

The Committee Substitute bill No. 2 passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor by special message.

**S.B. 354** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PERMIT CONTINUING CARE RETIREMENT COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Kinnaird, the Senate concurs in the House Committee Substitute bill No. 3 (48-0) and the bill is ordered enrolled and sent to the Governor by special message.

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS.

Upon motion of Senator Nesbitt, the Senate Committee Substitute bill is withdrawn from today's Supplemental Calendar and is placed on the Calendar for Thursday, July 8.

The Senate recesses at 6:14 P.M. to reconvene at 6:30 P.M.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

*The Chair grants a leave of absence for the remainder of today's session to Senator Dorsett.*

### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

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

**H.B. 1814**, A BILL TO BE ENTITLED AN ACT EXEMPTING CATAWBA COUNTY FROM COMPETITIVE BIDDING REQUIREMENTS

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WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the bill is placed on today's Supplemental Calendar.

**H.B. 2066** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the Committee Substitute bill No 2 is placed on today's Supplemental Calendar.

#### **SUPPLEMENTAL CALENDAR** *(continued)*

**H.B. 1814**, A BILL TO BE ENTITLED AN ACT EXEMPTING CATAWBA COUNTY FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

**H.B. 2066** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

*Without objection, Senator Swindell 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 (44-0).

Senator Stevens objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Thursday, July 8, upon third reading.

Upon motion of Senator Basnight, seconded by Senator Jones, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Thursday, July 8, at 10:00 A.M.

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**S.B. 1383**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COLLECTION AND ANALYSIS OF DNA SAMPLES FROM INDIVIDUALS ARRESTED FOR FELONY OFFENSES, TO PROVIDE FOR THE EXPUNGEMENT OF DNA RECORDS, TO STRENGTHEN PROVISIONS RELATING TO THE CONFIDENTIALITY OF SUCH DNA RECORDS, AND TO INCREASE THE COST OF COURT TO COVER THE EXPENSES OF DNA COLLECTION AND ANALYSIS, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 85388, which changes the title to read **S.B. 1383** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, is adopted and engrossed.

**S.B. 1400**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill 75411, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

**H.B. 748**, A BILL TO BE ENTITLED AN ACT TO FORBID COUNTY BOARDS OF ELECTIONS FROM DESIGNATING EARLY VOTING SITES IN NONPUBLIC BUILDINGS THAT DO NOT ALLOW ELECTIONEERING, EXCEPT THAT ELECTIONEERING MAY BE RESTRICTED TO ONE OR MORE LOCATIONS ON THE PROPERTY, 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 70584, which changes the title upon concurrence to read **H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE

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DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES, is adopted and engrossed.

**H.B. 1812** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, 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 70583, is adopted and engrossed.

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

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

**S.B. 430** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) AMEND THE WILMINGTON CIVIL SERVICE ACT TO PROVIDE THAT THE SITTING MEMBERS OF THE CIVIL SERVICE COMMISSION, BY MAJORITY VOTE, SHALL NAME ONE MEMBER OF THE COMMISSION AND PROVIDE FOR THE REPLACEMENT OF THE MEMBER PREVIOUSLY NAMED BY THE WILMINGTON MINISTERIAL ASSOCIATION; AND (2) CLARIFY AND EXPAND THE AUTHORITY OF THE TOWN OF CAROLINA BEACH TO REGULATE AND ENFORCE LAWS IN CAROLINA BEACH HARBOR AND THE SHORELINE AREA ADJOINING THE TOWN, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Thursday, July 8, for concurrence.

**H.B. 1403** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK.

The Committee Substitute bill No. 2 is ordered held in the Office of the Senate Principal Clerk pending referral.

**H.B. 1766** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND

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SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS, (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY

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WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; AND (20) CREATE AN EXPERIMENTAL PROGRAM IN WHICH THE CITY OF GREENSBORO IS GIVEN A LIMITED EXEMPTION FROM THE REQUIREMENT THAT BEAVERS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND THE CITY IS AUTHORIZED TO RELOCATE THOSE BEAVERS TO A SUITABLE ALTERNATIVE HABITAT.

The Committee Substitute bill No. 2 is ordered held in the Office of the Senate Principal Clerk pending referral.

Pursuant to Senator Basnight's motion to adjourn having prevailed, the Senate adjourns at 10:35 P.M.

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### ONE HUNDRED AND FORTY-SIXTH DAY

Senate Chamber  
Thursday, July 8, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"God of promise and hope, you are the artist of the universe in the world we know. You've blessed us with the opportunity to better our people's lives in North Carolina. May we use this opportunity wisely as we move toward the close of this Session and may we truly focus on those things possible and not those things we cannot do. May we truly think with our hearts as well as our minds as we seek the higher ground of spiritual maturity. In your name, Amen."

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

Senator Dannelly, Deputy President *Pro Tempore*, announces that the Journal of Wednesday, 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.

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*The Chair extends privileges of the floor to Clementine Buford from Creedmoor, North Carolina and Juliet Zana from Fayetteville, 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. 18**, AN ACT TO AMEND THE NORTH CAROLINA CEMETERY ACT BY REQUIRING PROOF OF A SUFFICIENT TRUST FUND OR SURETY BOND PRIOR TO APPROVING A CHANGE OF CONTROL OF A CEMETERY COMPANY, CHANGING THE INVESTMENTS OPTIONS FOR PERPETUAL CARE TRUST FUNDS, REQUIRING CEMETERY COMPANIES TO LIST THE COST OF OPENING AND CLOSING A GRAVE SPACE AS PART OF THE CONTRACT, PROHIBITING A CEMETERY COMPANY FROM REQUIRING A PURCHASER OF A GRAVE SPACE TO PURCHASE A VAULT FROM A PARTICULAR SELLER, INCREASING THE EXTENSION THAT MAY BE GIVEN TO A CEMETERY COMPANY FOR COMPLETION OF CONSTRUCTION OF MAUSOLEUMS, AND CREATING THE LEGISLATIVE STUDY COMMISSION ON THE NORTH CAROLINA CEMETERY ACT.

**S.B. 1015**, AN ACT TO ENACT THE HOMEOWNER AND HOMEBUYER PROTECTION ACT TO PROHIBIT HOME FORECLOSURE RESCUE SCAMS IN WHICH A TRANSFEROR IS INDUCED TO SELL PROPERTY FOR LESS THAN FIFTY PERCENT OF ITS FAIR MARKET VALUE TO AVOID FORECLOSURE, TO PROVIDE PROTECTIONS IN LEASE OPTION CONTRACTS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND SPECIFY THE CONSEQUENCES OF A SELLER'S DEFAULT ON A LOAN SECURED BY A LIEN ON THE PROPERTY, TO PROVIDE PROTECTIONS IN CONTRACT FOR DEED TRANSACTIONS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND INVOLVE PROPERTY TO WHICH THE SELLER HOLDS TITLE, AND TO MAKE VIOLATION OF CHAPTERS 47G AND 47H OF THE GENERAL STATUTES A BASIS FOR DISCIPLINE UNDER THE MANUFACTURED HOMES LICENSING ACT.

**S.B. 1119**, AN ACT TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION.

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**S.B. 1152**, AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS.

**S.B. 1176**, AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS.

**S.B. 1177**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS.

**S.B. 1216**, AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW.

**H.B. 76**, AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, AND TO MAKE CONFORMING CHANGES AND TO ADOPT THE HONOR AND REMEMBER FLAG TO HONOR AND RECOGNIZE FALLEN MEMBERS OF THE ARMED FORCES.

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

**S.B. 1362**, AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY.

**S.J.R. 1460**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JAMES R. TURNER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 25)

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

**S.B. 567**, AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.

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**H.B. 80**, AN ACT TO BAN THE USE OF ELECTRONIC MACHINES AND DEVICES FOR SWEEPSTAKES PURPOSES.

**H.B. 466**, AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

**H.B. 1249**, AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL.

**S.B. 354**, AN ACT TO PERMIT CONTINUING CARE RETIREMENT COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING.

**H.B. 1757**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP GUIDELINES FOR PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES KINDERGARTEN THROUGH EIGHT, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

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. 1841**, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY.

**H.B. 1814**, AN ACT EXEMPTING CATAWBA COUNTY FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

**H.J.R. 2081**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF THE ALBEMARLE ELECTRIC SYSTEM. (Res. 27)

**H.J.R. 2080**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JIMMY REESE LOWRY, PUBLIC SERVANT. (Res. 26)

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**H.J.R. 1407**, A JOINT RESOLUTION HONORING THE ONE HUNDREDTH ANNIVERSARY OF NORTH CAROLINA CENTRAL UNIVERSITY. (Res. 28)

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

**S.B. 1154**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA.

**S.B. 1215**, AN ACT TO INCREASE UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES.

**S.B. 1309**, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO WAIVE TEMPORARILY CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES FOR PARTICIPANTS IN THE FIRST EVALUATION PILOT PROGRAM AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY CERTAIN ISSUES RELATING TO THE PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

**H.B. 213**, AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT AND FOR PUBLIC SCHOOL EMPLOYEES, AND TO REQUIRE THE STATE PERSONNEL COMMISSION, THE STATE BOARD OF EDUCATION, AND THE STATE BOARD OF COMMUNITY COLLEGES TO MAKE AN ANNUAL REPORT ON THE VOLUNTARY SHARED LEAVE PROGRAM.

**H.B. 614**, AN ACT TO TREAT ONE APPLICATION BY A UNIFORMED VOTER FOR AN ABSENTEE BALLOT AS AN APPLICATION FOR ALL ABSENTEE BALLOTS FOR WHICH THE VOTER WOULD BE ELIGIBLE DURING THE SAME CALENDAR YEAR.

**H.B. 1412**, AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES RELATING TO NATIONAL GUARD COURTS-MARTIAL.

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**H.B. 1734**, AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO LOCATE AND ACQUIRE RIGHTS-OF-WAY FOR THE PRESENT OR FUTURE RELOCATION OR INITIAL LOCATION OF DISTRIBUTED ANTENNA SYSTEMS (DAS) AS PERMITTED BY LOCAL ZONING.

**H.B. 1744**, AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT FEASIBLE TO REGIONALIZE SHALL BE GIVEN THE SAME PRIORITY AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

**H.B. 1746**, AN ACT TO: (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE

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CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS, DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN, AND DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE; AND (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE.

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

**S.B. 1435**, AN ACT RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM.

**H.B. 1920**, AN ACT TO EXPAND THE MEMBERSHIP OF THE RESOURCES DEVELOPMENT COMMISSION OF BRUNSWICK 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. 650**, AN ACT TO ALLOW A MEMBER OF THE CHATHAM COUNTY SCHOOL BOARD TO COMPLETE THE CURRENT TERM OF OFFICE DESPITE A MAPPING ERROR WHICH CAUSED HER TO BE ELECTED IN A DISTRICT WHERE SHE DID NOT RESIDE, AND TO VALIDATE ACTIONS OF THAT BOARD. (Became law upon ratification, July 7, 2010 - S.L. 2010-56.)

**S.B. 1114**, AN ACT EXEMPTING THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS FOR USE AS PART OF LOCAL PILOT PROGRAMS AIMED AT INCREASING ENERGY EFFICIENCY, AND TO AUTHORIZE THE TOWNS OF CHAPEL HILL AND CARRBORO AND THE CITY OF ASHEVILLE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A RENEWABLE

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ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION. (Became law upon ratification, July 7, 2010 - S.L. 2010-57.)

**S.B. 1437**, AN ACT TO PROVIDE FOR ANNUAL ELECTION OF A MAYOR PRO TEMPORE BY THE HIGHLANDS TOWN BOARD. (Became law upon ratification, July 7, 2010 - S.L. 2010-58.)

**H.B. 1736**, AN ACT TO AUTHORIZE THE CITY OF LOCUST AND THE TOWNS OF NEW LONDON AND STANFIELD TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES. (Became law upon ratification, July 7, 2010 - S.L. 2010-59.)

**H.B. 2052**, AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM TO ESTABLISH AN EXEMPTION FROM ASSESSMENTS FOR LOTS OR PARCELS OF LAND ENCUMBERED BY A CITY OR COUNTY GREENWAY EASEMENT. (Became law upon ratification, July 7, 2010 - S.L. 2010-60.)

#### **WITHDRAWAL FROM CLERK'S OFFICE**

**H.B. 1403** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, ordered held in the Office of the Principal Clerk on July 7, pending referral to committee.

Senator Soles, Vice-Chairman of the Rules and Operations of the Senate Committee, announces the referral of the Committee Substitute bill No. 2 to the Judiciary I Committee.

**H.B. 1766** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION

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TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON

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PREMISES BY STORE EMPLOYEES; AND (20) CREATE AN EXPERIMENTAL PROGRAM IN WHICH THE CITY OF GREENSBORO IS GIVEN A LIMITED EXEMPTION FROM THE REQUIREMENT THAT BEAVERS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND THE CITY IS AUTHORIZED TO RELOCATE THOSE BEAVERS TO A SUITABLE ALTERNATIVE HABITAT, ordered held in the Office of the Principal Clerk on July 7, pending referral to committee.

Senator Soles, Vice-Chairman of the **Rules and Operations of the Senate Committee**, announces the referral of the Committee Substitute bill No. 2 to the **Agriculture/Environment/Natural Resources Committee**.

### CALENDAR

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

**H.B. 1944**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY TAXES, upon third reading.

The 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, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The bill is ordered enrolled.

**S.B. 1298** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE CERTAIN TOWNS IN DAVIE COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE MONTGOMERY AND ANSON COUNTIES TO EACH LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX, for concurrence in the House Committee Substitute bill upon third reading.

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Upon motion of Senator Walters, the Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 42, 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, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Nesbitt, Preston, Purcell, Queen, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---42.

Voting in the negative: Senators East, Forrester, Rouzer and Rucho---4.

The House Committee Substitute bill is ordered enrolled.

**S.B. 430** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO: (1) AMEND THE WILMINGTON CIVIL SERVICE ACT TO PROVIDE THAT THE SITTING MEMBERS OF THE CIVIL SERVICE COMMISSION, BY MAJORITY VOTE, SHALL NAME ONE MEMBER OF THE COMMISSION AND PROVIDE FOR THE REPLACEMENT OF THE MEMBER PREVIOUSLY NAMED BY THE WILMINGTON MINISTERIAL ASSOCIATION; AND (2) CLARIFY AND EXPAND THE AUTHORITY OF THE TOWN OF CAROLINA BEACH TO REGULATE AND ENFORCE LAWS IN CAROLINA BEACH HARBOR AND THE SHORELINE AREA ADJOINING THE TOWN, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Boseman, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled.

**H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.B. 1383** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

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**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL, with a favorable report.

Upon motion of Senator Soles, the rules are suspended and the Committee Substitute bill No. 2 is placed on today's Calendar.

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO GRANT THE RIGHT TO CONSTRUCT AND MAINTAIN A WATER INTAKE SYSTEM IN THE TOWN OF BOONE, 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 70582, which changes the title upon concurrence to read **H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

**CALENDAR** *(continued)*

**H.B. 1905**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION, upon third reading.

The 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, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---48.

Voting in the negative: None.

The bill is ordered enrolled and sent to the Governor by special message.

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**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS.

Senator Nesbitt offers Amendment No. 1 which is adopted (48-0).

Upon motion of Senator Albertson, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1812** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

The Senate Committee Substitute bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

*The Chair grants a leave of absence for the remainder of today's session to Senator Davis.*

**H.B. 1035** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR CONSTRUCTION PROJECT CONTRACTS AWARDED BY STATE DEPARTMENTS, STATE AGENCIES, AND THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS, as amended on second reading.

The Senate Committee Substitute bill, as amended, passes its third reading (34-13) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 1717** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD.

The Senate Committee Substitute bill No. 2 passes its third reading (45-2) and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 2066** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE

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EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

*Without objection, Senator Swindell requests to be excused from voting on the Committee Substitute bill No. 2 due to a conflict of interest.*

Senator Stevens offers Amendment No. 1 which is adopted (46-0).

The Committee Substitute bill No. 2, as amended, passes its third reading (46-0) and is ordered sent to the House of Representatives for concurrence in Senate Amendment No. 1 by special message.

**S.B. 655** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, for concurrence in the House Committee Substitute bill 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 44, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Dickson, Dorsett, East, Foriest, Garrou, Goodall, Goss, Graham, Hartsell, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Nesbitt, Preston, Purcell, Queen, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---44.

Voting in the negative: Senators Forrester, Rouzer and Rucho---3.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**S.B. 675** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT GIVING OR RECEIVING REMUNERATION RELATED TO THE MAKING OF REFERRALS OR PURCHASE/LEASE ARRANGEMENTS THAT LEAD TO MEDICAID PAYMENTS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Purcell, the Senate concurs in the House Committee Substitute bill No. 2 (47-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1136** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Rucho, the Senate concurs in the House Committee Substitute bill No. 2 (45-2) and the bill is ordered enrolled and sent to the Governor by special message.

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**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR, for concurrence in House Amendment No. 1.

Upon motion of Senator Blue, the Senate fails to concur in House Amendment No. 1 (0-47).

Senator Blue offers a motion that the Senate appoint conferees, which motion prevails.

**S.B. 1383** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, temporarily displaced earlier today.

Upon motion of Senator Soles, the Committee Substitute bill is withdrawn from today's Calendar and is re-referred to the **Judiciary I Committee**.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR.

Pursuant to the Senate having failed to concur in the Committee Substitute bill for S.B. 1251 earlier today and the motion by Senator Blue to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Blue, Chair, Senator Dorsett and Senator Berger of Franklin 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 the appearance of Senator Davis in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

#### **CALENDAR** *(continued)*

**H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND

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ENHANCE THE NATURAL RESOURCES OF THAT REGION, placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second reading (47-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL, placed earlier on today's Calendar.

Upon motion of Senator Garrou, the Chair orders, without objection, the Committee Substitute bill No. 2 temporarily displaced.

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, temporarily displaced earlier today.

Senator Albertson offers Amendment No. 2 which is adopted (47-2), and changes the title upon concurrence to read **H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, AND TO LIMIT THE USE OF PUBLIC FUNDS BY COUNTIES, MUNICIPALITIES, AND LOCAL BOARDS OF EDUCATION TO ENDORSE OR OPPOSE A REFERENDUM, ELECTION, OR CANDIDATE FOR OFFICE.

The Senate Committee Substitute bill, as amended, passes its second reading (49-0).

Senator Berger of Rockingham objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Friday, July 9, upon third reading.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 565** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

Pursuant to the messages from the House of Representatives received May 12 and June 30 that the House fails to concur in Senate Amendment No. 1 for H.B. 565, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Goodall, Chair, Senator Berger of Rockingham 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.

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**DISMISSAL OF CONFEREES  
APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1099** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO: (1) EXTEND BY ONE YEAR THE IMPLEMENTATION OF WATER SYSTEM EFFICIENCY CRITERIA FOR ELIGIBILITY FOR STATE WATER INFRASTRUCTURE FUNDS; (2) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (3) AMEND THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND; (4) PROVIDE THAT CITY AND COUNTY BUILDING INSPECTORS MAY RELY UPON A THIRD-PARTY CERTIFICATION FOR PARKING LOTS AND ANY BIORETENTION AREAS DESIGNED AND CONSTRUCTED TO COMPLY WITH G.S. 113A-71; (5) MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS; (6) PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED; (7) DIRECT THE REVENUE LAWS STUDY COMMITTEE AND THE ENVIRONMENTAL REVIEW COMMISSION TO CONDUCT A STUDY OF REVENUE GENERATING OPPORTUNITIES ASSOCIATED WITH ENTITIES USING CERTAIN NATURAL RESOURCES OF THE STATE IN ORDER TO FUND ACTIVITIES THAT WILL PROTECT AND ENHANCE PUBLIC HEALTH AND THE ENVIRONMENT; (8) LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND (9) CREATE THE YADKIN RIVER TRUST TO ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY.

Senator Dannelly announces that the Senate Conferees appointed on August 6, 2009, to resolve the differences in the Senate Committee Substitute bill are hereby dismissed. The new conferees appointed are as follows: Senator Garrou, Chairman; Senator Albertson; Senator Dannelly and Senator Swindell.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Senate recesses at 11:20 A.M. to reconvene at 1:30 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

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**RECESS****REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1403** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, 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 80654, which changes the title upon concurrence to read **H.B. 1403** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 181** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

**S.B. 1259** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK AND TO PROVIDE FOR ADDITIONAL OPPORTUNITIES FOR PUBLIC DISCUSSION OF THE RULE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

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**S.B. 1399** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

**S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND TO AUTHORIZE THE CITY OF KANNAPOLIS TO DEANNEX PROPERTY FOR THE BENEFIT OF THE PUBLIC HEALTH AUTHORITY OF CABARRUS COUNTY, for concurrence in House Amendment No. 1.

The Committee Substitute bill is placed on the Calendar for Friday, July 9, for concurrence.

**S.B. 1446** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Supplemental Calendar for concurrence.

#### **REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Hartsell for the **Judiciary II Committee**:

**S.B. 836** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH

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PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89, with a favorable report as to concurrence.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill No. 3 is place on today's Supplemental Calendar for concurrence.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

The Senate recesses at 1:33 P.M. to reconvene at 2:30 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

### RECESS

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 655**, AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

**S.B. 675**, AN ACT TO PROHIBIT GIVING OR RECEIVING REMUNERATION RELATED TO THE MAKING OF REFERRALS OR PURCHASE/LEASE ARRANGEMENTS THAT LEAD TO MEDICAID PAYMENTS.

**S.B. 1136**, AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

**S.B. 1392**, AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

**H.B. 617**, AN ACT TO ALLOW ALL-TERRAIN VEHICLES TO BE USED BY DISABLED SPORTSMEN TO CROSS PUBLIC ROADWAYS.

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**H.B. 666**, AN ACT TO PERMIT LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO PAY BILLS, INVOICES, SALARIES, OR OTHER CLAIMS BY ELECTRONIC PAYMENT OR ELECTRONIC FUNDS TRANSFER.

**H.B. 1743**, AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP BASINWIDE HYDROLOGIC MODELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

**S.B. 430**, AN ACT TO: (1) AMEND THE WILMINGTON CIVIL SERVICE ACT TO PROVIDE THAT THE SITTING MEMBERS OF THE CIVIL SERVICE COMMISSION, BY MAJORITY VOTE, SHALL NAME ONE MEMBER OF THE COMMISSION AND PROVIDE FOR THE REPLACEMENT OF THE MEMBER PREVIOUSLY NAMED BY THE WILMINGTON MINISTERIAL ASSOCIATION; AND (2) CLARIFY AND EXPAND THE AUTHORITY OF THE TOWN OF CAROLINA BEACH TO REGULATE AND ENFORCE LAWS IN CAROLINA BEACH HARBOR AND THE SHORELINE AREA ADJOINING THE TOWN.

**S.B. 1115**, AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION.

**S.B. 1361**, AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO.

**S.B. 1445**, AN ACT AUTHORIZING THE CITY OF GOLDSBORO AND THE GOLDSBORO-WAYNE AIRPORT AUTHORITY TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY.

**H.B. 1944**, AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY TAXES.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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**CALENDAR** *(continued)*

**H.B. 1824** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL, placed earlier on today's Calendar.

The Committee Substitute bill No. 2 passes its second reading (48-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor by special message.

**WITHDRAWAL FROM COMMITTEE**

**S.B. 1400** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY, re-referred to the **Appropriations/Base Budget Committee** on July 7.

Pursuant to Rule 47(a), Senator Soles 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 withdrawn from the **Appropriations/Base Budget Committee** and places it on today's Calendar.

**SUPPLEMENTAL CALENDAR**

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

**S.B. 1399** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McKissick, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled.

**S.B. 1446** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McKissick, the Senate concurs in the House Committee Substitute bill (45-3) and the bill is ordered enrolled.

**H.B. 1403** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY

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PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

Senator Clodfelter offers Amendment No. 1 which is adopted (47-1).

*The Chair grants a leave of absence for the remainder of today's session to Senator Hartsell.*

The Senate Committee Substitute bill, as amended, passes its second reading (46-1) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence 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 8, 2010

Mr. 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. 1973** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO EXTEND TAX CREDITS FOR GROWING BUSINESSES; TO REVISE ENVIRONMENTAL STANDARDS WITH RESPECT TO ECONOMIC DEVELOPMENT PROJECTS; TO MODIFY THE REQUIREMENTS FOR AN AGRARIAN GROWTH ZONE; TO REDUCE THE CREDIT FOR INVESTMENTS IN BUSINESS PROPERTY UNDER ARTICLE 3J; TO ENHANCE THE COMPETITIVENESS OF THE CREDIT FOR PRODUCTION COMPANIES; TO ENACT TAX INCENTIVES FOR INTERACTIVE DIGITAL MEDIA COMPANIES; TO EXPAND THE TYPES OF DATACENTERS ELIGIBLE FOR PREFERENTIAL TAX TREATMENT; TO INCREASE THE NUMBER OF INDUSTRIES ELIGIBLE FOR SALES TAX REFUNDS ON BUILDING MATERIALS FOR MAJOR INDUSTRIAL FACILITIES; TO EXTEND SUNSETS ON EXPIRING ECONOMIC DEVELOPMENT TAX BENEFITS; TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS FOR PROJECTS LOCATED IN ECO-PARKS; TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN WOOD CHIPPERS; AND TO MAKE CHANGES TO PURCHASING AND CONTRACT LAWS, and requests conferees.

Speaker Hackney has appointed:

Representative Owens, Chair,  
Representative Gibson,

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Representative Heagerty,  
Representative Luebke,  
Representative Moore, and  
Representative McComas

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 8, 2010

Mr. 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. 1829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MILL REHABILITATION CREDIT; TO MAKE CHANGES TO THE CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY; TO ESTABLISH A CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY; TO LOWER THE SALES TAX COMPLIANCE BURDEN ON SMALL RETAILERS; TO RELIEVE THE ANNUAL REPORT COMPLIANCE BURDEN ON SMALL BUSINESS; TO REDUCE THE FRANCHISE TAX BURDEN ON CONSTRUCTION COMPANIES; AND TO IMPROVE THE TAX AND DEBT COLLECTION PROCESS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE, and requests conferees.

Speaker Hackney has appointed:

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

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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  
Thursday, July 8, 2010

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the conferees appointed have failed to resolve the differences between the two bodies on Senate Committee Substitute for **H.B. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS, and have been dismissed.

Second conferees have been requested and Speaker Hackney appoints the following:

Rep. Michaux, Chair  
Rep. Crawford,  
Rep. Tolson,  
Rep. Haire,  
Rep. Adams,  
Rep. Jeffus,  
Rep. Owens,  
Rep. Holliman,  
Rep. Wainwright,  
Rep. Luebke,  
Rep. Gibson,  
Rep. Weiss, and  
Rep. Stam

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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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 8, 2010

Mr. 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. 620** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME 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 MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 8, 2010

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in House Amendment No. 1 to **S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR, and requests conferees, Speaker Hackney appoints:

Representative Glazier, Chair,  
Representative Wiley, and  
Representative Tarleton

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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

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

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

**H.J.R. 2082**, A JOINT RESOLUTION HONORING THE ONE HUNDRED TWENTY-FIFTH ANNIVERSARY OF YMCA CAMPING.

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

The joint resolution passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

### **SUPPLEMENTAL CALENDAR** *(continued)*

**S.B. 181** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Goss, 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. 836** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM

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DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Dickson, the Chair orders, without objection, the House Committee Substitute bill No. 3 temporarily displaced.

**S.B. 1259** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK AND TO PROVIDE FOR ADDITIONAL OPPORTUNITIES FOR PUBLIC DISCUSSION OF THE RULE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Snow, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1400** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY, placed earlier on today's Calendar.

Senator Davis offers Amendment No. 1 which is adopted (47-0).

Senator Davis offers Amendment No. 2 which is adopted (47-0).

The Committee Substitute bill, as amended, passes its second reading (47-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, as amended on second reading, third reading objected to earlier today by Senator Berger of Rockingham.

Senator Berger of Rockingham withdraws his objection to third reading. Upon motion of Senator Soles, the Senate Committee Substitute bill is withdrawn from the Calendar of July 9 and placed on today's Calendar for immediate consideration.

The Senate Committee Substitute bill, as amended, passes its third reading (46-0) and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

The Senate recesses at 4:05 P.M. to reconvene at 5:00 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

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**RECESS**

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

*Upon the appearance of Senator Hartsell in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.*

**SUPPLEMENTAL CALENDAR** *(continued)*

**S.B. 836** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89, temporarily displaced earlier today for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Dickson, the Senate concurs in the House Committee Substitute bill No. 3 (46-2) and the bill is ordered enrolled and sent to the Governor 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. 620** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR

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DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME 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 620, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT, Senate Judiciary II Committee Substitute Adopted 6/8/10, submit the following report:

The House concurs in the Senate Committee Substitute.

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

Date Conferees approved report: July 8, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Fletcher L. Hartsell, Jr., Chair	S/Deborah K. Ross, Chair
S/A. B. Swindell	S/Grier Martin
S/Bob Atwater	S/Paul Stam
	S/John M. Blust

The Conference Report is placed on today's Calendar, for adoption.

#### REPORTS OF COMMITTEES

A standing committee report is submitted as follows:

By Senator Atwater for the **Agriculture/Environment/Natural Resources Committee**:

**H.B. 1766** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT

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REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR

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SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; AND (20) CREATE AN EXPERIMENTAL PROGRAM IN WHICH THE CITY OF GREENSBORO IS GIVEN A LIMITED EXEMPTION FROM THE REQUIREMENT THAT BEAVERS TAKEN UNDER A DEPREDATION PERMIT MUST BE EUTHANIZED OR RELEASED ON THE PROPERTY WHERE CAPTURED AND THE CITY IS AUTHORIZED TO RELOCATE THOSE BEAVERS TO A SUITABLE ALTERNATIVE HABITAT, 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 30552, which changes the title upon concurrence to read **H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER

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AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (20) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (21) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (22) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

The Senate recesses at 5:12 P.M. to reconvene at 5:25 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

### **RECESS**

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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  
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Mr. 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. 620** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVISES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME 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:

**H.B. 1740** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary II Committee**.

**S.B. 1199** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar for concurrence.

**S.B. 1357** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CABARRUS COUNTY TOURISM AUTHORITY, for concurrence in the House Committee Substitute bill.

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Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

**CALENDAR** *(continued)*

**H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO

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REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (20) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (21) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (22) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, placed earlier on today's Calendar.

Upon motion of Senator Atwater, the Senate Committee Substitute bill is withdrawn from today's Calendar and is placed on the Calendar for Friday, July 9.

#### **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 Senator Jacumin:

**S.J.R. 1463**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ARTHUR FORLINES, JR., FORMER BANKER.

Upon motion of Senator Soles, the joint resolution is placed on the Calendar for Friday, July 9.

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**POINTS OF PERSONAL PRIVILEGE**

Upon motion of Senator Hunt, the remarks of Senator Jacumin are spread upon the Journal, as follows:

**Senator Jacumin:**

“As the Senate pretty well knows, I enjoy placing Gideon Bibles when you have a birthday and I just wanted to tell you why I enjoy that and lend a little bit more information to it. Gideons were making the distribution in a prison in South Africa. As we normally do, we try to tell them where the helps are in the scriptures we give them and the plan of salvation in the back and what have you. Gideon was doing that a particular day and a gentleman in the cell next to him hollered up, ‘Hey, Mister, give me one of them little books. The pages are thin, good to wrap my smokes in.’ It took Gideon back and he thought about it a little bit and he said, ‘Well, Mister, if you’ll make a promise I’ll give you one of these.’ ‘What’s that?’ ‘If you’ll promise me you’ll read each side of that page before you wrap your smokes in it, I’ll give you one.’ ‘You got a deal.’ Word has it that he smoked Matthew, he smoked Mark, he smoked Luke, but John smoked him. He ended up giving his life to the Lord, stopped his smoking and, as a result, many of those folks in that prison are much better people today because of that. We also place this Bible and this is one we send in honor of your birthdays. We’ve been placing those in hotels and motels in 193 countries of the World in 92 different languages. We go back twice a year to check them out, to see if they’ve been defaced in any way. This particular one came from Myrtle Beach, South Carolina. As you can see, the fly page has been torn. Somebody wrote a note or what have you on it. But it had a note in it, ‘Myrtle Beach, South Carolina, 2002, To Whom It May Concern. I rented this room with the thought of killing myself. The Bible saved my life, Proverbs, page 696. Pregnant by another man. I have a loving husband, yet I was unfaithful, so foolish, so young. We all have problems. I just called my husband. He knows and forgave. Sign me Grateful.’ And she went on to say, ‘This Book is blessed.’ We looked on that page, 696, and we found that ‘Every wise woman built her house but the foolish plucked it down with her hands.’ That’s why we love to place these books in hotel rooms, motel rooms. Most folks that get ready to take their life, that’s where they take it, hotel and motel rooms. So it’s certainly an honor to be able to do that and just thinking about the six-year life we’re talking about of this Bible in that hotel or motel, it comes in contact with 2,300 people. If we multiply that by your six birthdays I’ve had the blessing of being a part of in placing the scripture, that’s 69,000 people who will come in contact with the books that have been placed in your birthday \_\_\_\_\_. If you start multiplying that a little bit by 50 Senators, that’s 3,450,000 people that this book has been placed in front of in six years. So you see how it multiplies. Also, I enjoy doing that for our House members. We’ve got 120 of those, six years, times that same 2,300 people, that’s 1,656,000. So together I’ve been blessed with the opportunity to place the Word of God through your birthdays for over 5,000,000 people. What a blessing that’s been. Thank you and we got one over

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here today. Senator Dorsett is celebrating her birthday today and five of those got placed today for you, Senator Dorsett. What an honor. When I got to the Senate several years back, being a business person and all you look for ways you can make a difference. I saw at that time that it was going to be a little bit difficult. We take partisanship too seriously here and, as a result, maybe sometimes we are not able to do all those things we'd love to do for our folks. But when I found that out I decided I certainly didn't want to waste this time here so I decided to take the salary you folks give us for travel and opened two offices to try to help people that had needs right there in our two counties and what a blessing that's been, the most wonderful blessing in all of our life. My wife and I sit down and we read the notes that come back and come to tears many times because of them. Over the last six years we've had the opportunity to handle about 13,500 cases in those two offices. Had 24,000 phone calls, about 5,000 office visits, handled about 50,000 pieces of mail. We've worked 3,150 disability claims and, this is such a blessing, have gotten 2,700 of those claims approved by Social Security, Workman's Compensation, State Disability, Veterans' Administration. It's really, truly a ministry for us and I thank each of you for allowing me to be part of doing that. Although I won't be in the Senate, I'd really like to continue this ministry if there's some way we can do it that would not create a problem. You're probably wondering what kind of guy is this and to answer that question I'd like to tell you a little bit about my father. My father had a third-grade education, the smartest man I've ever met in my life. I've got a degree in Nuclear Engineering and I've met a lot of smart, smart people but no one to match him in the ability to do things when he had nothing to do them with. He was able to fix radios after coming home from work. He'd leave us some stumps to dig up during the day, never would give us a full stick of dynamite to blow them out with, just a little bit to loosen them, and that kept the boys busy the entire day while he was at work in the mill. He'd come home and farm until dark and then he'd go out to this little shop he built and fix radios. Well, when TV's first came out, folks would get a TV in the Hickory area in Morganton and Lenoir and they couldn't be fixed so they'd bring them to him and with that third grade education he'd fix those TV's. I just never have seen anyone with his abilities to do things of that nature. I can remember we finally got enough money to buy a tractor and the old mules we left in the barn at that point. But we didn't have enough money to buy the implements to go with it, so he had a forge there and I'd come home from school each day and change my clothes, go down to the shed down there and turn that forge for him so he could heat and bend steele and make farm equipment. Well, he developed three pieces of equipment. He developed a disc pick-up carriage, the first one anyone had ever seen. He developed a terracing blade that you can sit on the seat of the tractor and reach back and rotate it in three axles. He developed a three-point hitch for a John Deere tractor. Well, the word got around and in not too long we had some folks show up at our little farm there from a big tractor manufacturer and they wanted to see the equipment, test it, and what have you. They made pictures, they made sketches, they tested that thing most of the day there and when they left that day we all gathered around the kitchen table there and

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thought we were going to be rich. We didn't know what rich was, but we thought we were going to be rich! Well, about two or three months after that my Dad got a letter from that factory telling him that they really enjoyed the visit to our farm and wished us well in the future. Well, January came around and lo and behold, the catalog from that big farm tractor company came out and those three pieces of equipment were in that catalog. Well, you can imagine the feeling we had at that but again, I didn't really realize too much about it until I grew older and I asked my Dad, I said, 'Dad, they took that from you. Why didn't we sue them?' He was smiling. He said, 'Son, you don't understand.' I said, 'What, Dad?' He said, 'Well, son, when we had that we could only help the farmers here in this community but when they stole that we got to help farmers all over the United States.' That changed this fellow standing before you that day. He found out, as I have, that when you help folks without wanting a thing in return God just blesses you more for it. As a result, I'm building a little park up there in Valdese in his memory, a unique kind of park and I invite each of you if you're ever toward the mountains to stop by, let me show you that, let me show you something about the Waldensian people who came here with nothing and were able to do an awful lot with it. I want to thank each one of you for the kindness, the help you've given me while I've been here. We had to actually sell our company, this very good company at one time, but we had to sell it because our customers couldn't compete any more and that's one of the main things that brought me to the Senate. I got here and I saw that it was going to be sort of tough going because it's just hard to get things done sometimes when you're a new boy on the block. But so many of you have helped me to do that and one of the main things I'm so thankful for is what we call the L3C we've tried to pass and you all have helped us do that here. I especially want to thank Marc and Stan Bingham and Dan for helping us to get this through. It looks like it's going to happen now and, as a result of that, many folks are going to have a job. The American Dream is going to come alive for them again. I thought I'd be going home a total failure but it looks like I'll be going home with a bill that will help many, many people because of you guys and gals and I really appreciate that. To follow forth in this, I want to suggest a few ideas to us. Since I'm leaving, I think I can do that. Partisanship is great in particular areas and partisanship is terrible in some other areas. It would be awfully good if every Senator in this Chamber in every area of this State could have input to make a great State greater. The only way they can do that, and my suggestion to us is, maybe we take these bills and we cut the top part off of them when they're submitted, no matter what Senator and we take a look at all of them and we sort of see those that would help this State and if it'll help this State we pull them out, no matter where they came from or who they came by. As a result, great things will happen. Every day ordinary people do extraordinary things. Ordinary people come up with extraordinary ideas that can really help our State. When I think back about some of those extraordinary people, one of them comes to mind, John Robinson, who was a '74 graduate of Kent State University. John Robinson lacked 50 yards swimming the English Channel. Pretty exceptional when you think he was a paraplegic confined to a wheelchair, didn't have the

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use of his leg. Then there was a little girl named Shelley Mann who at two years old didn't have any use of her muscles at all. They had to put her in a little harness and put her down in the bathtub and make waves just to exercise her little body. Little did they know that 17 years later in Melbourne, Australia, Shelley Mann would be acclaimed the fastest woman swimmer in the world after winning two Gold Medals. Every day ordinary people do extraordinary things. I challenge us as a Body to take advantage of all the knowledge in the abilities wanting to help us make North Carolina better. Thank you and God bless you."

#### **CALENDAR** *(continued)*

**H.B. 620** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT, placed earlier on today's Calendar, for adoption.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (48-0).

The Chair orders a message sent to the House of Representatives by special message informing that Honorable Body of such action.

**S.B. 1199** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY, placed earlier on today's Calendar for concurrence in House Amendment No. 1.

Upon motion of Senator Swindell, 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. 1357** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CABARRUS COUNTY TOURISM AUTHORITY, placed earlier on today's Calendar for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled.

The Senate recesses at 5:34 P.M. to reconvene at 5:45 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

#### **RECESS**

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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**CALENDAR** *(continued)*

**H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES, temporarily displaced earlier today.

Senator Clodfelter offers Amendment No. 1 which is adopted (47-0).

Senator Berger of Rockingham offers Amendment No. 2 which is adopted (48-0).

Senator Brunstetter offers Amendment No. 3 which is adopted (48-0).

Senator Stein offers Amendment No. 4 which is adopted (47-0).

Senator Goodall offers Amendment No. 5 which fails of adoption (20-28).

The Senate Committee Substitute bill, as amended, passes its second reading (28-20).

Senator Berger of Rockingham objects to third reading of the measure. Pursuant to Rule 50, the President orders the measure placed on the Calendar for Friday, July 9, upon third reading.

**REPORTS OF COMMITTEES**

A standing committee report is submitted as follows:

By Senator Nesbitt for the **Judiciary I Committee**:

**H.B. 1281** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL OVERSIGHT OF COUNTY BOARD OF ELECTION EMPLOYEES TO THE STATE BOARD OF ELECTIONS IN ORDER TO PROVIDE GREATER CONSISTENCY IN THE ADMINISTRATION OF ELECTIONS, 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 60103, which changes the title upon concurrence to read **H.B. 1281** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES BETWEEN OCTOBER 14, 2010, AND OCTOBER 18, 2010, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

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**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY.

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. 1829 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair, Senator Jenkins and Senator Stein 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. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; TO CLARIFY THE APPLICATION OF THE ENVIRONMENTAL POLICY ACT TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVE PAYMENTS; AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA.

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. 1973 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Jenkins, Chair, Senator Clodfelter and Senator Garrou 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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**CALENDAR** (*continued*)

**H.B. 1281** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES BETWEEN OCTOBER 14, 2010, AND OCTOBER 18, 2010, placed earlier on today's Calendar.

The Senate Committee Substitute bill passes its second reading (42-5) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 765** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES WITH RESPECT TO COMMUNITY THIRD PARTY TRUSTS AND MEDICAID POOLED TRUSTS, AND TO PROVIDE FOR MEDICAID REIMBURSEMENT IN CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill No. 3.

The House Committee Substitute bill No. 3 is placed on the Calendar for Friday, July 9, for concurrence.

**H.B. 1670** (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.**

Upon motion of Senator Basnight, seconded by Senator Boseman, the Senate adjourns subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees, to meet Friday, July 9, at 10:00 A.M.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 8, 2010

Mr. 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. 1778**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE

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BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

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 8, 2010

Mr. 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. 1765** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; AND TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS.

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 8, 2010

Mr. 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. 683**, A BILL TO BE ENTITLED AN ACT ESTABLISHING NORTH CAROLINA HOT SAUCE DAY.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

### CONFERENCE REPORT

Senator Blue, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1251** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR, 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 1251, A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR, Pensions & Retirement & Aging Committee Substitute Adopted 6/16/10, amended by House Amendment #1 Adopted 7/7/10, submit the following report:

The House recedes from amendment #1 and the House and Senate agree to the following amendments:

On page 1, line 4, by deleting the word "YEAR." and substituting the words "YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER."; and

On page 1, line 22, by deleting that line and inserting the following:

"**SECTION 2.** G.S. 135-45.2(a)(8), as amended by Section 1 of this act, reads as rewritten:

- (8) Notwithstanding the provisions of G.S. 135-45.12 employees formerly covered by the provisions of this section, other than retired employees, who have been employed for 12 or more months by an employing unit, or who have completed a contract term of employment of 10 or 11 months and whose employing unit is a local school

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administrative unit, and whose jobs are eliminated because of a reduction, in total or in part, in the funds used to support the job or its responsibilities, provided the employees were covered by the Plan at the time of separation from service resulting from a job elimination. Employees covered by this subsection shall be covered for a period of up to 12 months following a separation from service because of a job elimination. An employee formerly covered by the provisions of this section shall not be eligible for coverage under this subdivision if the employee is provided health benefit coverage on a non-contributory basis by a subsequent employer.'

**SECTION 3.** Section 1 of this act becomes effective May 1, 2010. The remainder of this act is effective when it becomes law."

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

Date Conferees approved report: July 8, 2010.

*Conferees for the Senate*  
S/Dan Blue, Chair  
S/Katie G. Dorsett  
S/Doug Berger

*Conferees for the House of Representatives*  
S/Rick Glazier, Chair  
S/Laura I. Wiley  
Cullie M. Tarleton

The Conference Report, which changes the title, is placed on the Calendar for Friday, July 9, for adoption.

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1829** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY, submits for adoption the following report:

July 8, 2010

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 1829, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY, Senate Finance Committee Substitute Adopted 6/29/10, Fifth Edition Engrossed 7/1/10, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute Adopted 6/29/10, Fifth Edition Engrossed 7/1/10, and the House concurs in the Senate Finance Committee Substitute as amended:

On page 3, lines 35 through 49, by rewriting the lines to read:

- "(2) ~~Residential Property, Nonbusiness.~~ – The following ceilings apply to renewable energy property placed in service for ~~residential purposes:~~ a nonbusiness purpose:
- a. One thousand four hundred dollars (\$1,400) per dwelling unit for solar energy equipment for domestic water heating, including pool heating.
  - b. Three thousand five hundred dollars (\$3,500) per dwelling unit for solar energy equipment for active space heating, combined active space and domestic hot water systems, and passive space heating.
  - c. ~~Ten thousand five hundred dollars (\$10,500) per installation for any other renewable energy property for residential purposes.~~ Eight thousand four hundred dollars (\$8,400) for each installation of geothermal equipment.
  - d. ~~Eight thousand four hundred dollars (\$8,400) per installation for a geothermal heat pump or geothermal equipment.~~ Ten thousand five hundred dollars (\$10,500) for each installation of any other renewable energy property."

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And on page 7, line 17, by deleting the symbol "§" and substituting the word "Section";

And on page 7, lines 19 through 27, by rewriting the lines to read:

"SECTION 6. G.S. 143-341(3) reads as rewritten:

**§ 143-341. Powers and duties of Department.**

The Department of Administration has the following powers and duties:

...

- (3) Architecture and Engineering:
- a. To examine and approve all plans and specifications for the construction or renovation of:
    1. All State buildings or buildings located on State lands, except those buildings over which a local building code inspection department has and exercises jurisdiction; and
    2. All community college buildings requiring the estimated expenditure for construction or repair work for which public bidding is required under G.S. 143-129 prior to the awarding of a contract for such work; and to examine and approve all changes in those plans and specifications made after the contract for such work has been awarded.
  - a1. To organize and schedule, within three weeks of designer selection and before the design contract is let, a meeting of the stakeholders for each State capital improvement project to discuss plan review requirements and to define the terms of the memorandum of understanding developed by the State Building Commission pursuant to G.S. 143-135.26(2). The stakeholders shall include the funded agency, each State agency having plan review responsibilities for the project, and the selected designer. Notwithstanding the foregoing, the meeting need not be scheduled if the funded agency so requests.
  - b. To assist, as necessary, all agencies in the preparation of requests for appropriations for the construction or renovation of all State buildings.
  - b1. To certify that a statement of needs pursuant to G.S. 143C-3-3 is feasible. For purposes of this sub-subdivision, "feasible" means that the

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proposed project is sufficiently defined in overall scope; building program; site development; detailed design, construction, and equipment budgets; and comprehensive project scheduling so as to reasonably ensure that it may be completed with the amount of funds requested. At the discretion of the General Assembly, advanced planning funds may be appropriated in support of this certification. This sub-subdivision shall not apply to requests for appropriations of less than one hundred thousand dollars (\$100,000).

- c. To supervise the letting of all contracts for the design, construction or renovation of all State buildings and all community college buildings whose plans and specifications must be examined and approved under a.2. of this subdivision.
- d. To supervise and inspect all work done and materials used in the construction or renovation of all State buildings and all community college buildings whose plans and specifications must be examined and approved under a.2. of this subdivision; to act as the appropriate official inspector or inspection department for purposes of G.S. 143-143.2; and no such work may be accepted by the State or by any State agency until it has been approved by the Department.
- e. To require all State agencies to use existing plans and specifications for construction projects, where feasible. Prior to designing a project, State agencies shall consult with the Department of Administration on the availability of appropriate existing plans and specifications and the feasibility of using them for a project.
- f. To provide written allocation of the deduction allowed under section 179D of the Code, as defined in G.S. 105-228.90, for designing energy efficient commercial building property that is installed on or in property owned by the State. The allocation must be made in accordance with section 179D of the Code.

Except for sub-subdivisions b., b1., ~~and e., and f.~~ of this subdivision, this subdivision does not apply to the design, construction, or renovation of projects by The University of North Carolina pursuant to G.S. 116-31.11.

..."

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

Date Conferees approved report: July 8, 2010.

*Conferees for the Senate*  
S/Daniel G. Clodfelter  
S/Clark Jenkins  
S/Josh Stein

*Conferees for the House of Representatives*  
S/Paul Luebke

The Conference Report is placed on the Calendar for Friday, July 9, for adoption.

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

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

**S.B. 1171** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS; TO MODIFY ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT; AND TO MODIFY THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF COMMERCE MAY EXTEND THE BASE PERIOD FOR A JDIG GRANT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the Calendar for Friday, July 9, for concurrence.

### **CONFERENCE REPORT**

Senator Jenkins, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1973** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; TO CLARIFY THE APPLICATION OF THE ENVIRONMENTAL POLICY ACT TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVE PAYMENTS; AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA, submits for adoption the following report:

July 8, 2010

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 1973, A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY; TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; TO CLARIFY THE APPLICATION OF THE ENVIRONMENTAL POLICY ACT TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVE PAYMENTS; AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA, Senate Finance Committee Substitute Adopted 7/1/10 Sixth Edition Engrossed 7/7/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 7/1/10, Sixth Edition Engrossed 7/7/10, 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 H1973-PCCS30554-SV-1.

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

Date Conferees approved report: July 8, 2010.

*Conferees for the Senate*

S/Clark Jenkins, Chair  
S/Daniel G. Clodfelter  
S/Linda Garrou

*Conferees for the House of Representatives*

S/Bill Owens, Chair  
S/Pryor Gibson  
S/Chris Heagarty  
Paul Luebke  
S/Daniel F. McComas  
S/Tim Moore

The text of the attached Proposed Conference Committee Substitute, H1973-PCCS30554-SV-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT  
INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT  
OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA

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DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS.

The General Assembly of North Carolina enacts:

**PART I: EXTEND AND REVISE TAX CREDITS FOR GROWING BUSINESSES**

**SECTION 1.1.** G.S. 105-129.82(a) reads as rewritten:

"(a) Sunset. – This Article is repealed effective for business activities that occur on or after January 1, ~~2011~~2013."

**SECTION 1.2.** G.S. 143B-437.010(a) reads as rewritten:

"(a) Agrarian Growth Zone Defined. – An agrarian growth zone is an area that meets all of the following conditions:

- (1) It is comprised of one or more contiguous census tracts, census block groups, or both, in the most recent federal decennial census.
- (2) All of the area is located in whole within a county that has no municipality with a population in excess of 10,000.
- (3) Every census tract and census block group that comprises the area either has more than twenty percent (20%) of its population below the poverty level or is adjacent to another census tract or census block group in the zone that has more than twenty percent (20%) of its population below the poverty level according to the most recent federal decennial census.
- (4) The zone as a whole has more than twenty percent (20%) of its population below the poverty level according to the most recent federal decennial census."

**SECTION 1.3.** G.S. 105-129.81 is amended by adding a new subdivision to read:

"(9a) Environmental disqualifying event. – Any of the following occurrences:

- a. During the tax year in which the activity occurred for which a credit is being claimed, a civil penalty was assessed against the taxpayer by the Department of Environment and Natural Resources for failure to comply with an order issued by an agency of the Department to abate or remediate a violation of any program administered by the agency.
- b. During the tax year in which the activity occurred for which a credit is being claimed or in the prior two tax years, any of the following:
  1. A finding was made by the Department of Environment and Natural Resources that the taxpayer knowingly and willfully, as defined in G.S. 143-

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- 215.6B, including all limitations thereto, committed a violation of any program implemented by an agency of the Department.
2. An assessment for damages to fish or wildlife pursuant to G.S. 143-215.3(a)(7) was made against the taxpayer.
  3. A judicial order for injunctive relief was issued against the taxpayer in connection with a violation of any program implemented by an agency of the Department of Environment and Natural Resources.
- c. During the tax year in which the activity occurred for which the credit is being claimed or in the prior four tax years, a criminal penalty was imposed on the taxpayer in connection with a violation of any program implemented by an agency of the Department of Environment and Natural Resources."

**SECTION 1.4.** G.S. 105-129.83(e) and (i) read as rewritten:

"(e) Environmental Impact. – A taxpayer is eligible for a credit allowed under this Article only if the taxpayer certifies that, at the time the taxpayer claims the credit, ~~the taxpayer has no pending administrative, civil, or criminal enforcement action based on alleged significant violations of any program implemented by an agency of the Department of Environment and Natural Resources and has had no final determination of responsibility for any significant administrative, civil, or criminal violation of any program implemented by an agency of the Department of Environment and Natural Resources within the last five years. A significant violation is a violation or alleged violation that does not satisfy any of the conditions of G.S. 143-215.6B(d). The Secretary of Environment and Natural Resources shall notify the Department of Revenue annually of every person that currently has any of these pending actions and every person that has had any of these final determinations within the last five years.~~there has not been a final determination unfavorable to the taxpayer with respect to an environmental disqualifying event. For the purposes of this section, a 'final determination unfavorable to the taxpayer' occurs when there is no further opportunity for the taxpayer to seek administrative or judicial appeal, review, certiorari, or rehearing of the environmental disqualifying event and the disqualifying event has not been reversed or withdrawn. No later than January 31 of each year, the Secretary of Environment and Natural Resources shall provide an annual report to the Department listing all environmental disqualifying events for which a final determination unfavorable to the taxpayer was made in the prior calendar year and shall provide the name of the taxpayer involved and the date that the disqualifying event occurred.

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...(i) Forfeiture. – A taxpayer forfeits a credit allowed under this Article if the taxpayer was not eligible for the credit for the calendar year in which the taxpayer engaged in the activity for which the credit was claimed. A taxpayer forfeits a credit previously allowed under this Article if a final determination unfavorable to the taxpayer with respect to an environmental disqualifying event is made that is applicable to the year in which the activity occurred for which the credit was claimed. In addition, a taxpayer forfeits a credit for investment in real property under G.S. 105-129.89 if the taxpayer fails to timely create the number of required new jobs or to timely make the required level of investment under G.S. 105-129.89(b). A taxpayer that forfeits a credit under this Article is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105-241.21, computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited; a taxpayer that fails to pay the past taxes and interest by the due date is subject to the penalties provided in G.S. 105-236."

**SECTION 1.5.** G.S. 143B-437.02(g) reads as rewritten:

"(g) Environmental Impact. – A business is eligible for consideration for site development under this part only if the business certifies that, at the time of the application, the business ~~has no pending administrative, civil, or criminal enforcement action based on alleged significant violations of any program implemented by an agency of the Department of Environment and Natural Resources, and has had no final determination of responsibility for any significant administrative, civil, or criminal violation of any program implemented by an agency of the Department of Environment and Natural Resources within the last five years.~~ A significant violation is a violation or alleged violation that does not satisfy any of the conditions of G.S. 143-215.6B(d). The Secretary of Environment and Natural Resources must notify the Department of Commerce annually of every person that currently has any of these pending actions and every person that has had any of these final determinations within the last five years satisfies the environmental impact standard under G.S. 105-129.83."

**SECTION 1.6.** G.S. 143B-437.012(h) reads as rewritten:

"(h) Environmental Impact. – A business is eligible for consideration for a grant under this section only if the business ~~has no pending administrative, civil, or criminal enforcement action based on alleged significant violations of any program implemented by an agency of the Department of Environment and Natural Resources and has had no final determination of responsibility for any significant administrative, civil, or criminal violation of any program implemented by an agency of the Department of Environment and Natural Resources within the last three years with respect to the location for which the grant is made.~~ For the purposes of this subsection, a significant violation is a violation or alleged violation that does not satisfy any of the conditions of G.S. 143-215.6B(d). certifies that, at the time of the application, the business satisfies the environmental impact standard under G.S. 105-129.83."

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**SECTION 1.7.** Sections 1.3 and 1.4 of this Part are effective for credits claimed for taxable years beginning on or after January 1, 2007. Sections 1.5 and 1.6 of this Part are effective when they become law and apply to all agreements in effect on or entered into on or after that date.

## **PART II: EXPAND TAX CREDITS FOR PRODUCTION COMPANIES**

**SECTION 2.1.** G.S. 105-130.47 reads as rewritten:

**"§ 105-130.47. Credit for qualifying expenses of a production company.**

- (a) Definitions. – The following definitions apply in this section:
- (1) Highly compensated individual. – An individual who directly or indirectly receives compensation in excess of one million dollars (\$1,000,000) for personal services with respect to a single production. An individual receives compensation indirectly when a production company pays a personal service company or an employee leasing company that pays the individual.
  - (2) Live sporting event. – A scheduled sporting competition, game, or race that is not originated by a production company, but originated solely by an amateur, collegiate, or professional organization, institution, or association for live or tape-delayed television or satellite broadcast. A live sporting event does not include commercial advertising, an episodic television series, a television pilot, a music video, a motion picture, or a documentary production in which sporting events are presented through archived historical footage or similar footage taken at least 30 days before it is used.
  - (3) Production company. – Defined in G.S. 105-164.3.
  - (4) Qualifying expenses. – The sum of the following amounts spent in this State by a production company in connection with a production, less the amount in excess of one million dollars (\$1,000,000) paid to a highly compensated individual:
    - a. Goods and services leased or purchased. For goods with a purchase price of twenty-five thousand dollars (\$25,000) or more, the amount included in qualifying expenses is the purchase price less the fair market value of the good at the time the production is completed.
    - b. Compensation and wages on which withholding payments are remitted to the Department of Revenue under Article 4A of this Chapter.
    - c. The cost of production-related insurance coverage obtained on the production. Expenses for insurance coverage purchased from a related member are not qualifying expenses.

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- d. Employee fringe contributions, including health, pension, and welfare contributions.
- e. Per diems, stipends, and living allowances paid for work being performed in this State.

(5) Related member. – Defined in G.S. 105-130.7A.

(b) Credit. – A taxpayer that is a production company and has qualifying expenses of at least two hundred fifty thousand dollars (\$250,000) with respect to a production is allowed a credit against the taxes imposed by this Part equal to ~~fifteen percent (15%)~~ twenty-five percent (25%) of the production company's qualifying expenses. For the purposes of this section, in the case of an episodic television series, an entire season of episodes is one production. The credit is computed based on all of the taxpayer's qualifying expenses incurred with respect to the production, not just the qualifying expenses incurred during the taxable year.

~~(b1) Alternative Credit. — In lieu of the credit allowed under subsection (b) of this section, a taxpayer that is a production company and has qualifying expenses of at least two hundred fifty thousand dollars (\$250,000) with respect to a production may elect to take a credit against the taxes imposed by this Part equal to twenty five percent (25%) of the production company's qualifying expenses less the difference between the amount of tax paid on purchases subject to the tax under G.S. 105-187.51 and the amount of sales or use tax that would have been due had the purchases been subject to the sales or use tax at the combined general rate, as defined in G.S. 105-164.3. The credit is computed based on all of the taxpayer's qualifying expenses incurred with respect to the production, not just the qualifying expenses incurred during the taxable year. The taxpayer shall elect whether to claim the credit allowed under this subsection or the one allowed under subsection (b) of this section at the time the taxpayer files the return on which the credit is claimed. This election is binding.~~

(c) Pass-Through Entity. – Notwithstanding the provisions of G.S. 105-131.8 and G.S. 105-269.15, a pass-through entity that qualifies for a credit provided in this section does not distribute the credit among any of its owners. The pass-through entity is considered the taxpayer for purposes of claiming a credit allowed by this section. If a return filed by a pass-through entity indicates that the entity is paying tax on behalf of the owners of the entity, a credit allowed under this section does not affect the entity's payment of tax on behalf of its owners.

(d) Return. – A taxpayer may claim a credit allowed by this section on a return filed for the taxable year in which the production activities are completed. The return must state the name of the production, a description of the production, and a detailed accounting of the qualifying expenses with respect to which a credit is claimed. The qualifying expenses are subject to audit by the Secretary before the credit is allowed.

(e) Credit Refundable. – If a credit allowed by this section exceeds the amount of tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, the Secretary must refund the excess to the taxpayer. The refundable excess is governed by the provisions governing a refund of an

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overpayment by the taxpayer of the tax imposed in this Part. In computing the amount of tax against which multiple credits are allowed, nonrefundable credits are subtracted before refundable credits.

(f) Limitations. – The amount of credit allowed under this section with respect to a production that is a feature film may not exceed ~~seven-twenty million five hundred thousand~~ dollars ~~(\$7,500,000), (\$20,000,000)~~. No credit is allowed under this section for any production that satisfies one of the following conditions:

- (1) It is political advertising.
- (2) It is a television production of a news program or live sporting event.
- (3) It contains material that is obscene, as defined in G.S. 14-190.1.
- (4) It is a radio production.

(g) Substantiation. – A taxpayer allowed a credit under this section must maintain and make available for inspection any information or records required by the Secretary of Revenue. The taxpayer has the burden of proving eligibility for a credit and the amount of the credit. The Secretary may consult with the North Carolina Film Office of the Department of Commerce and the regional film commissions in order to determine the amount of qualifying expenses.

(h) Report. – The Department of Revenue must publish by May 1 of each year the following information, itemized by taxpayer for the 12-month period ending the preceding December 31:

- (1) The location of sites used in a production for which a credit was taken.
- (2) The qualifying expenses for which a credit was taken, classified by whether the expenses were for goods, services, or compensation paid by the production company.
- (3) The number of people employed in the State with respect to credits taken.
- (4) The total cost to the General Fund of the credits taken.

(i) Repealed by Session Laws 2006-220, s. 2, effective for taxable years beginning on or after January 1, 2007.

(j) NC Film Office. – To claim a credit under this section, a taxpayer must notify the Division of Tourism, Film, and Sports Development in the Department of Commerce of the taxpayer's intent to claim the production tax credit. The notification must include the title of the production, the name of the production company, a financial contact for the production company, the proposed dates on which the production company plans to begin filming the production, and any other information required by the Division. For productions that have production credits, a taxpayer claiming a credit under this section must acknowledge in the production credits both the North Carolina Film Office and the regional film office responsible for the geographic area in which the filming of the production occurred.

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(k) Sunset. – This section is repealed for qualifying expenses occurring on or after January 1, 2014."

**SECTION 2.2.** G.S. 105-151.29 reads as rewritten:

"§ 105-151.29. **Credit for qualifying expenses of a production company.**

- (a) Definitions. – The following definitions apply in this section:
- (1) Highly compensated individual. – An individual who directly or indirectly receives compensation in excess of one million dollars (\$1,000,000) for personal services with respect to a single production. An individual receives compensation indirectly when a production company pays a personal service company or an employee leasing company that pays the individual.
  - (2) Live sporting event. – A scheduled sporting competition, game, or race that is not originated by a production company, but originated solely by an amateur, collegiate, or professional organization, institution, or association for live or tape-delayed television or satellite broadcast. A live sporting event does not include commercial advertising, an episodic television series, a television pilot, a music video, a motion picture, or a documentary production in which sporting events are presented through archived historical footage or similar footage taken at least 30 days before it is used.
  - (3) Production company. – Defined in G.S. 105-164.3.
  - (4) Qualifying expenses. – The sum of the following amounts spent in this State by a production company in connection with a production, less the amount paid in excess of one million dollars (\$1,000,000) to a highly compensated individual:
    - a. Goods and services leased or purchased. For goods with a purchase price of twenty-five thousand dollars (\$25,000) or more, the amount included in qualifying expenses is the purchase price less the fair market value of the good at the time the production is completed.
    - b. Compensation and wages on which withholding payments are remitted to the Department of Revenue under Article 4A of this Chapter.
    - c. The cost of production-related insurance coverage obtained on the production. Expenses for insurance coverage purchased from a related member are not qualifying expenses.
    - d. Employee fringe contributions, including health, pension, and welfare contributions.
    - e. Per diems, stipends, and living allowances paid for work being performed in this State.

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(5) Related member. – Defined in G.S. 105-130.7A.

(b) Credit. – A taxpayer that is a production company and has qualifying expenses of at least two hundred fifty thousand dollars (\$250,000) with respect to a production is allowed a credit against the taxes imposed by this Part equal to ~~fifteen percent (15%)~~ twenty-five percent (25%) of the production company's qualifying expenses. For the purposes of this section, in the case of an episodic television series, an entire season of episodes is one production. The credit is computed based on all of the taxpayer's qualifying expenses incurred with respect to the production, not just the qualifying expenses incurred during the taxable year.

~~(b1) Alternative Credit. – In lieu of the credit allowed under subsection (b) of this section, a taxpayer that is a production company and has qualifying expenses of at least two hundred fifty thousand dollars (\$250,000) with respect to a production may elect to take a credit against the taxes imposed by this Part equal to twenty-five percent (25%) of the production company's qualifying expenses less the difference between the amount of tax paid on purchases subject to the tax under G.S. 105-187.51 and the amount of sales or use tax that would have been due had the purchases been subject to the sales or use tax at the combined general rate, as defined in G.S. 105-164.3. The credit is computed based on all of the taxpayer's qualifying expenses incurred with respect to the production, not just the qualifying expenses incurred during the taxable year. The taxpayer shall elect whether to claim the credit allowed under this subsection or the one allowed under subsection (b) of this section at the time the taxpayer files the return on which the credit is claimed. This election is binding.~~

(c) Pass-Through Entity. – Notwithstanding the provisions of G.S. 105-131.8 and G.S. 105-269.15, a pass-through entity that qualifies for a credit provided in this section does not distribute the credit among any of its owners. The pass-through entity is considered the taxpayer for purposes of claiming a credit allowed by this section. If a return filed by a pass-through entity indicates that the entity is paying tax on behalf of the owners of the entity, a credit allowed under this section does not affect the entity's payment of tax on behalf of its owners.

(d) Return. – A taxpayer may claim a credit allowed by this section on a return filed for the taxable year in which the production activities are completed. The return must state the name of the production, a description of the production, and a detailed accounting of the qualifying expenses with respect to which a credit is claimed. The qualifying expenses are subject to audit by the Secretary before the credit is allowed.

(e) Credit Refundable. – If a credit allowed by this section exceeds the amount of tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, the Secretary must refund the excess to the taxpayer. The refundable excess is governed by the provisions governing a refund of an overpayment by the taxpayer of the tax imposed in this Part. In computing the amount of tax against which multiple credits are allowed, nonrefundable credits are subtracted before refundable credits.

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(f) Limitations. – The amount of credit allowed under this section with respect to a production that is a feature film may not exceed ~~seven-twenty million five hundred thousand dollars (\$7,500,000).~~ (\$20,000,000). No credit is allowed under this section for any production that satisfies one of the following conditions:

- (1) It is political advertising.
- (2) It is a television production of a news program or live sporting event.
- (3) It contains material that is obscene, as defined in G.S. 14-190.1.
- (4) It is a radio production.

(g) Substantiation. – A taxpayer allowed a credit under this section must maintain and make available for inspection any information or records required by the Secretary of Revenue. The taxpayer has the burden of proving eligibility for a credit and the amount of the credit. The Secretary may consult with the North Carolina Film Office of the Department of Commerce and the regional film commissions in order to determine the amount of qualifying expenses.

(h) Report. – The Department of Revenue must publish by May 1 of each year the following information, itemized by taxpayer for the 12-month period ending the preceding December 31:

- (1) The location of sites used in a production for which a credit was taken.
- (2) The qualifying expenses for which a credit was taken, classified by whether the expenses were for goods, services, or compensation paid by the production company.
- (3) The number of people employed in the State with respect to credits taken.
- (4) The total cost to the General Fund of the credits taken.

(i) Repealed by Session Laws 2006-220, s. 4, effective for taxable years beginning on and after January 1, 2007.

(j) NC Film Office. – To claim a credit under this section, a taxpayer must notify the Division of Tourism, Film, and Sports Development in the Department of Commerce of the taxpayer's intent to claim the production tax credit. The notification must include the title of the production, the name of the production company, a financial contact for the production company, the proposed dates on which the production company plans to begin filming the production, and any other information required by the Division. For productions that have production credits, a taxpayer claiming a credit under this section must acknowledge in the production credits both the North Carolina Film Office and the regional film office responsible for the geographic area in which the filming of the production occurred.

(k) Sunset. – This section is repealed for qualifying expenses occurring on or after January 1, 2014."

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**SECTION 2.3.** G.S. 105-187.51 is amended by adding a new subsection to read:

**"§ 105-187.51. Tax imposed on mill machinery.**

- (a) Scope. – A privilege tax is imposed on the following persons:
- (1) A manufacturing industry or plant that purchases mill machinery or mill machinery parts or accessories for storage, use, or consumption in this State. A manufacturing industry or plant does not include the following:
    - a. ~~a~~–A delicatessen, cafe, cafeteria, restaurant, or another similar retailer that is principally engaged in the retail sale of foods prepared by it for consumption on or off its premises.
    - b. A production company.
  - (2) A contractor or subcontractor that purchases mill machinery or mill machinery parts or accessories for use in the performance of a contract with a manufacturing industry or plant.
  - (3) A subcontractor that purchases mill machinery or mill machinery parts or accessories for use in the performance of a contract with a general contractor that has a contract with a manufacturing industry or plant.
- (b) Rate. – The tax is one percent (1%) of the sales price of the machinery, part, or accessory purchased. The maximum tax is eighty dollars (\$80.00) per article. As used in this section, the term "accessories" does not include electricity."

**SECTION 2.4.** This Part becomes effective January 1, 2011. Sections 2.1 and 2.2 of this Part apply to taxable years beginning on or after January 1, 2011. Section 2.3 of this Part applies to purchases and sales made on or after January 1, 2011.

**PART III: TAX CREDIT FOR DEVELOPING INTERACTIVE DIGITAL MEDIA**

**SECTION 3.1.** The title of Article 3F of Chapter 105 of the General Statutes reads as rewritten:

"Article 3F.

~~Research and Technology~~ Development."

**SECTION 3.2.** G.S. 105-129.50 reads as rewritten:

**"§ 105-129.50. Definitions.**

The definitions in section 41 of the Code apply in this Article. In addition, the following definitions apply in this Article:

- (1) ~~through (3)~~–Reserved.
- (2) Full-time job. – Defined in G.S. 105-129.81.
- (3) Reserved.

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- (4) North Carolina university research expenses. – Any amount the taxpayer paid or incurred to a research university for qualified research performed in this State or basic research performed in this State.
- (4a) Participating community college. – A community college, as defined in G.S. 115D-2, that offers an associate in applied science degree in simulation and game development.
- (5) Period of measurement. – Defined in the Small Business Size Regulations of the federal Small Business Administration.
- (6) Qualified North Carolina research expenses. – Qualified research expenses, other than North Carolina university research expenses, for research performed in this State.
- (7) Receipts. – Defined in the Small Business Size Regulations of the federal Small Business Administration.
- (8) Related person. – Defined in G.S. 105-163.010.
- (9) Research university. – An institution of higher education that meets one or both of the following conditions:
- a. It is classified as one of the following in the most recent edition of "A Classification of Institutions of Higher Education", the official report of The Carnegie Foundation for the Advancement of Teaching:
    1. Doctoral/Research Universities, Extensive or Intensive.
    2. Masters Colleges and Universities, I or II.
    3. Baccalaureate Colleges, Liberal Arts or General.
  - b. It is a constituent institution of The University of North Carolina.
- (10) Small business. – A business whose annual receipts, combined with the annual receipts of all related persons, for the applicable period of measurement did not exceed one million dollars (\$1,000,000)."

**SECTION 3.3.** G.S. 105-129.51 reads as rewritten:

**"§ 105-129.51. ~~Administration; Taxpayer standards and sunset.~~**

(a) A taxpayer is eligible for ~~the~~ a credit allowed in this Article if it satisfies the requirements of G.S. 105-129.83(c), (d), (e), ~~and (f), and (g)~~ relating to wage standard, health insurance, environmental impact, ~~and safety and health programs, and overdue tax debts,~~ respectively.

(b) This Article is repealed for taxable years beginning on or after January 1, 2014.

(c) Repealed by Session Laws 2004-124, s. 32D.4, effective for taxable years beginning on or after January 1, 2006."

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**SECTION 3.4.** G.S. 150-129.52 reads as rewritten:**"§ 105-129.52. Tax election; cap.**

(a) Tax Election. – ~~The A~~ credit allowed in this Article is allowed against the franchise tax levied in Article 3 of this Chapter or the income taxes levied in Article 4 of this Chapter. The taxpayer must elect the tax against which a credit will be claimed when filing the return on which the credit is first claimed. This election is binding. Any carryforwards of a credit must be claimed against the same tax.

(b) Cap. – A credit allowed in this Article may not exceed fifty percent (50%) of the amount of tax against which it is claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of a credit allowed in this Article may be carried forward for the succeeding 15 years."

**SECTION 3.5.** G.S. 105-129.54, as amended by Section 1.7 of Senate Bill 1215 of the 2010 Session of the 2009 General Assembly, reads as rewritten:

**"§ 105-129.54. Report.**

The Department must include in the economic incentives report required by G.S. 105-256 the following information itemized by credit and by taxpayer:

- (1) The number of taxpayers that took a credit allowed in this ~~Article, Article.~~ The credit allowed under G.S. 105-129.55 must be itemized by the categories of small business, low-tier, ~~other, and university research.~~ university research, Eco-Industrial Park, and other. The credit allowed under G.S. 105-129.56 must be itemized by the categories of higher education collaboration and other.
- (2) The amount of each credit taken in each category.
- (3) The total cost to the General Fund of the credits taken."

**SECTION 3.6.** Article 3F of Chapter 105 of the General Statutes is amended by adding a new section to read:

**"§ 105-129.56. Interactive digital media.**

(a) IDM Defined. – Interactive digital media is a product that meets all of the following requirements:

- (1) It is produced for distribution on electronic media, including distribution by file download over the Internet.
- (2) It contains a computer-controlled virtual universe with which an individual who uses the program may interact in order to achieve a goal.
- (3) It contains a significant amount of at least three of the following five types of data: animated images, fixed images, sound, text, and 3D geometry.

(b) Credit. – A taxpayer that develops in this State interactive digital media or a digital platform or engine for use in interactive digital media is

allowed a credit equal to a percentage of the taxpayer's expenses that exceed fifty thousand dollars (\$50,000) and that are paid during the taxable year in developing the media, platform, or engine. The percentage that applies to the expenses is determined under subsection (c) of this section. The expenses to which the credit applies are as follows:

- (1) Compensation and wages for a full-time job on which withholding payments are remitted to the Department under Article 4A of this Chapter.
- (2) Employee fringe contributions on compensation and wages included under subdivision (1) of this subsection, including health, pension, and welfare contributions.
- (3) Amounts paid to a participating community college or a research university for services performed in this State.

(c) Percentage. – The percentage of the credit allowed under this section is as follows:

- (1) Higher education collaboration. – Twenty percent (20%) for allowable expenses paid to a participating community college or a research university.
- (2) Other. – Fifteen percent (15%) for allowable expenses not covered in subdivision (1) of this subsection.

(d) Limitations. – The amount of credit allowed a taxpayer under this section may not exceed seven million five hundred thousand dollars (\$7,500,000). The credit allowed by this section does not apply to interactive digital media that meets any of the following descriptions:

- (1) It is developed by the taxpayer for internal use.
- (2) It is an interpersonal communications service, such as videoconferencing, wireless telecommunications, a text-based channel, or a chat room.
- (3) It is an Internet site that is primarily static and primarily designed to provide information about one or more persons, businesses, companies, or firms.
- (4) It is a gambling or casino game.
- (5) It is political advertising.
- (6) It contains material that is obscene, as defined in G.S. 14-190.1, or that is harmful to minors, as defined in G.S. 14-190.13.

(e) No Double Benefit. – A taxpayer that claims a credit under this section may not claim any of the following with respect to the expenses used to determine the credit under this section:

- (1) A credit allowed under any other section of this Chapter.
- (2) A grant from the Job Development Investment Grant Program, set out in Part 2G of Article 10 of Chapter 143B of the General Statutes.
- (3) A grant from the One North Carolina Fund, set out in Part 2H of Article 10 of Chapter 143B of the General Statutes."

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**SECTION 3.7.** This Part is effective for taxable years beginning on or after January 1, 2011.

**PART IV: EXTEND SUNSET FOR TAX CREDIT FOR RECYCLING OYSTER SHELLS**

**SECTION 4.1.** G.S. 105-130.48(f) reads as rewritten:

"(f) Sunset. – This section is repealed effective for taxable years beginning on or after ~~January 1, 2011.~~January 1, 2013."

**SECTION 4.2.** G.S. 105-151.30(f) reads as rewritten:

"(f) Sunset. – This section is repealed effective for taxable years beginning on or after ~~January 1, 2011.~~January 1, 2013."

**SECTION 4.3.** This Part is effective when it becomes law.

**PART V: CREATE ECONOMIC DEVELOPMENT INCENTIVES FOR ECO-PARKS**

**SECTION 5.1.** G.S. 143B-437.08 is amended by adding a new subsection to read:

"(j) Exception for Eco-Industrial Park. – An Eco-Industrial Park has a development tier one designation. An Eco-Industrial Park is an industrial park that the Secretary of Commerce has certified meets the following requirements:

- (1) It has at least 100 developable acres.
- (2) It is located in a county that is not required under G.S. 143-215.107A to perform motor vehicle emissions inspections.
- (3) Each building located in the industrial park is constructed in accordance with energy-efficiency and water-use standards established in G.S. 143-135.37 for construction of a major facility.
- (4) Each business located in the park is in a clean-industry sector according to the Toxic Release Inventory by the United States Environmental Protection Agency."

**SECTION 5.2.** G.S. 143B-437.4 reads as rewritten:

"§ ~~143B-437.4. NC Green Business Fund established as a special revenue fund and grant program.~~

(a) ~~Establishment.~~Fund. – The NC Green Business Fund is established as a special revenue fund in the Department of Commerce, and the Department shall be responsible for administering the Fund.

(b) Purposes. – Moneys in the NC Green Business Fund shall be allocated pursuant to this subsection. The Department of Commerce shall make grants from the Fund to private businesses with less than 100 employees, nonprofit organizations, local governments, and State agencies to encourage the expansion of small to medium size businesses with less than 100 employees to help grow a green economy in the State. Moneys in the NC Green Business Fund shall be used for projects that will focus on the following three priority

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~~areas:~~ areas listed in this subsection. In selecting between projects that are within a priority area, a project that is located in an Eco-Industrial Park certified under G.S. 143B-437.08 has priority over a comparable project that is not located in a certified Eco-Industrial Park. The priority areas are:

- (1) To encourage the development of the biofuels industry in the State. The Department of Commerce may make grants available to maximize development, production, distribution, retail infrastructure, and consumer purchase of biofuels in North Carolina, including grants to enhance biofuels workforce development.
- (2) To encourage the development of the green building industry in the State. The Department of Commerce may make grants available to assist in the development and growth of a market for environmentally conscious and energy efficient green building processes. Grants may support the installation, certification, or distribution of green building materials; energy audits; and marketing and sales of green building technology in North Carolina, including grants to enhance workforce development for green building processes.
- (3) To attract and leverage private-sector investments and entrepreneurial growth in environmentally conscious clean technology and renewable energy products and businesses, including grants to enhance workforce development in such businesses.

(c) Cap and Matching Funds. – The Department of Commerce may set a cap on a grant from the NC Green Business Fund and may require a private business to provide matching funds for a grant from the Fund. A grant to a project located in an Eco-Industrial Park certified under G.S. 143B-437.08 is not subject to a cap or a requirement to provide matching funds."

**SECTION 5.3.** G.S. 143B-437.52(b) reads as rewritten:

"(b) ~~Cap.~~ Cap and Priority. – The maximum number of grants the Committee may award in each calendar year is 25. In selecting between applicants, a project that is located in an Eco-Industrial Park certified under G.S. 143B-437.08 has priority over a comparable project that is not located in a certified Eco-Industrial Park."

**SECTION 5.4.** G.S. 105-129.16A(c) is amended by adding a new subdivision to read:

"(c) Ceilings. – The credit allowed by this section may not exceed the applicable ceilings provided in this subsection.

- ...
- (3) Eco-Industrial Park. – A ceiling of five million dollars (\$5,000,000) applies to each installation of renewable energy property placed in service at an Eco-Industrial Park certified under G.S. 143B-437.08 for a business purpose described in subdivision (1) of this subsection."

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**SECTION 5.5.** G.S. 105-129.55 reads as rewritten:

**"§ 105-129.55. Credit for North Carolina research and development.**

(a) Qualified North Carolina Research Expenses. – A taxpayer that has qualified North Carolina research expenses for the taxable year is allowed a credit equal to a percentage of the expenses, determined as provided in this ~~subsection~~section. Only one credit is allowed under this ~~subsection~~section with respect to the same expenses. If more than one subdivision of this ~~subsection~~section applies to the same expenses, then the credit is equal to the higher percentage, not both percentages combined. If part of the taxpayer's qualified North Carolina research expenses qualifies under more than one subdivision (2) of this ~~subsection~~section and the remainder qualifies under subdivision (3) of this ~~subsection~~section, the applicable percentages apply separately to each part of the expenses.

- (1) Small business. – If the taxpayer was a small business as of the last day of the taxable year, the applicable percentage is three and one-quarter percent (3.25%).
- (2) Low-tier research. – For expenses with respect to research performed in a development tier one area, the applicable percentage is three and one-quarter percent (3.25%).
- (2a) University research. – For North Carolina university research expenses, the applicable percentage is twenty percent (20%).
- (2b) Eco-Industrial Park. – For expenses with respect to research performed in an Eco-Industrial Park certified under G.S. 143B-437.08, the applicable percentage is thirty-five percent (35%).
- (3) Other research. – For expenses not covered under another subdivision (1) or (2) of this ~~subsection~~section, the percentages provided in the table below apply to the taxpayer's qualified North Carolina research expenses during the taxable year at the following levels:

<b>Expenses Over</b>	<b>Up To</b>	<b>Rate</b>
-0-	\$50 million	1.25%
\$50 million	\$200 million	2.25%
\$200 million	–	3.25%

(b) ~~North Carolina University Research Expenses. – A taxpayer that has North Carolina university research expenses for the taxable year is allowed a credit equal to twenty percent (20%) of the expenses."~~

**SECTION 5.6.** Sections 5.1, 5.4, and 5.5 of this Part are effective for taxable years beginning on or after January 1, 2011. The remainder of this Part is effective when it becomes law. Sections 5.2 and 5.3 of this Part apply to grant applications submitted on or after July 1, 2010.

**PART VI: SALES TAX EXEMPTION FOR WOOD CHIPPER**

**SECTION 6.1.** G.S. 105-164.13 is amended by adding a new subdivision to read:

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**"§ 105-164.13. Retail sales and use tax.**

The sale at retail and the use, storage, or consumption in this State of the following tangible personal property, digital property, and services are specifically exempted from the tax imposed by this Article:

- ...
- (4g) A wood chipper that meets all of the following requirements:
- a. It is designed to be towed by a motor vehicle.
  - b. It is assigned a 17-digit vehicle identification number by the National Highway Transportation Safety Association.
  - c. It is sold to a person who purchases a motor vehicle in this State that is to be registered in another state and who uses the purchased motor vehicle to tow the wood chipper to the state in which the purchased motor vehicle is to be registered.

...."

**SECTION 6.2.** This Part becomes effective July 1, 2009, and applies to sales made on or after that date.

**PART VII: FUNDING FOR THE DNA DATABASE AND DATABANK**

**SECTION 7.1.** If Senate Bill 1383 or House Bill 1403, 2010 Regular Session of the 2009 General Assembly, become law, then G.S. 7A-304(a) reads as rewritten:

"(a) In every criminal case in the superior or district court, wherein the defendant is convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, the following costs shall be assessed and collected, except that when the judgment imposes an active prison sentence, costs shall be assessed and collected only when the judgment specifically so provides, and that no costs may be assessed when a case is dismissed.

...

- (9) For the support and services of the State Bureau of Investigation DNA Database and DNA Databank, the sum of two dollars (\$2.00). This amount is annually appropriated to the Department of Justice for this purpose. Notwithstanding the provisions of subsection (e) of this section, this cost does not apply to infractions."

**SECTION 7.2.** Any additional costs needed for the implementation of the provisions of the DNA Database Act of 2010 as enacted by Senate Bill 1383 or House Bill 1403, 2010 Regular Session of the 2009 General Assembly, that are not specifically provided for by this Part shall be provided by the Department of Justice from other funds appropriated to the Department. The Department of Justice shall pursue and apply for funds to

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supplement any amounts needed to implement the provisions of the DNA Database Act of 2010 from grants, the federal government, or any other available sources.

**SECTION 7.3.** This Part becomes effective October 1, 2010, and applies to court costs imposed or collected on or after that date, except that in misdemeanor cases disposed of on or after that date by written appearance, waiver of trial or hearing, and plea of guilty or admission of responsibility pursuant to G.S. 7A-180(4) or G.S. 7A-273(2) in which the citation or other criminal process was issued before that date, the cost shall be the lesser of the cost specified in G.S. 7A-304(a), as amended by this Part, or the cost specified in the notice portion of the defendant's or respondent's copy of the citation or other criminal process, if any costs are specified in that notice.

#### **PART VIII: ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS**

**SECTION 8.1.** The General Assembly makes the following findings:

- (1) A multiple award schedule contract is one that allows multiple vendors to be awarded a State contract for goods or services by providing their total catalogue for lines of equipment and attachments to eligible purchasers, including State agencies, departments, institutions, public school districts, political subdivisions, and higher education facilities.
- (2) A multiple award schedule contract allows multiple vendors to compete and be awarded a contract based upon the value of their products or services.
- (3) A properly administered multiple award schedule contract allows the State to evaluate vendors based on a variety of factors, including discounts, total life cycle costs, service, warranty, distribution channel, and past vendor performance.
- (4) Under appropriate circumstances, multiple award schedule contracts result in competitive pricing, transparency, administrative savings, expedited procurement, and flexibility for State purchasers.

**SECTION 8.2.** The North Carolina Department of Administration is strongly encouraged to consider the use of multiple award schedule contracts when issuing requests for proposals for State term contracts.

**SECTION 8.3.** This Part is effective when it becomes law.

#### **PART IX: EFFECTIVE DATE**

**SECTION 9.** 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 Friday, July 9, for adoption.

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

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## ONE HUNDRED AND FORTY-SEVENTH DAY

Senate Chamber  
Friday, July 9, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

Prayer is offered by The Honorable Don Davis, Senator from Greene County, as follows:

"A true family we are. What a family we have here now, the North Carolina Senate. This is a true family like none other. Sometimes we do not always agree or get along, but the greatest moments, friendships and lifelong memories created here simply cannot be replaced. We are extremely grateful for the members of this family and especially those who are no longer with us including Vernon Malone and our Honorary Member, William Bunn. I join our chaplain, Mike, in thanking those who have decided to make transitions in their personal lives, Julia, Eddie, Jim, Katie, Larry, Charlie, David, R.C., who represent over one hundred and ten years of combined service in this Senate family. We thank you from the bottom of our hearts for your contributions to this great State, the greatest State in the world. As we prepare to wind down, I ask that there are blessings as a direct result of our remaining work and once the last bill is passed and we adjourn, let us be reminded of the importance of carrying the peace and love that only God can provide this family with us everywhere we go. Amen."

Senator Basnight, President *Pro Tempore*, announces that the Journal of Thursday, 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.

## ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 1213**, AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE

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REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

**H.B. 144**, AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST.

**H.B. 357**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS AND TO DIRECT PUBLIC SCHOOLS TO INSTRUCT STUDENTS ON THE SIGNIFICANCE OF MEMORIAL DAY.

**H.B. 1115**, AN ACT TO AUTHORIZE ELECTRONIC NOTIFICATION TO THE MEDIA WHENEVER THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION IS CONSIDERING PAROLE FOR A PERSON SERVING A LIFE SENTENCE.

**H.B. 1136**, AN ACT TO PERMIT THE PERSONAL REPRESENTATIVE OF A DECEASED CANDIDATE WHO DID NOT FILE A WRITTEN DESIGNATION PRIOR TO DEATH TO FILE SUCH WRITTEN DESIGNATION WITHIN NINETY DAYS OF DEATH.

**H.B. 1377**, AN ACT TO ENACT THE SAFE SCHOOLS ACT.

**H.B. 1685**, AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH CAROLINA TURNPIKE AUTHORITY.

**H.B. 1691**, AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, AND TO INCREASE FUNDS FOR SUPPLEMENTAL PEG CHANNEL SUPPORT.

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**H.B. 1726**, AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES.

**H.B. 1729**, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS.

**H.B. 1802**, AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

**H.B. 1812**, AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.

**H.B. 1905**, AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION.

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

**S.B. 1298**, AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE CERTAIN TOWNS IN DAVIE COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE MONTGOMERY AND ANSON COUNTIES TO EACH LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX.

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**H.B. 1893**, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM; TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW; AND TO REPEAL AND AMEND CERTAIN LOCAL ACTS WITH RESPECT TO HUNTING IN GREENE COUNTY.

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

**S.B. 181**, AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE.

**S.B. 836**, AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89.

**S.B. 1199**, AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY.

**S.B. 1259**, AN ACT TO DELAY THE EFFECTIVE DATE OF THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK AND TO PROVIDE FOR ADDITIONAL OPPORTUNITIES FOR PUBLIC DISCUSSION OF THE RULE.

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**H.B. 620**, AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT.

**H.B. 1035**, AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR CONSTRUCTION PROJECT CONTRACTS AWARDED BY STATE DEPARTMENTS, STATE AGENCIES, AND THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS.

**H.B. 1292**, AN ACT TO PROVIDE THAT ANY ENERGY SAVINGS REALIZED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL REMAIN AVAILABLE TO THE INSTITUTION AND A PORTION OF THOSE ENERGY SAVINGS SHALL BE USED FOR OTHER ENERGY CONSERVATION MEASURES; AND TO EXPAND THE USE OF OPERATIONAL LEASES BY LOCAL BOARDS OF EDUCATION.

**H.B. 1705**, AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.

**H.B. 1717**, AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD.

**H.B. 1824**, AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON COYOTE NUISANCE REMOVAL.

**H.B. 2066**, AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

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

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**S.B. 1357**, AN ACT TO MODIFY THE CABARRUS COUNTY TOURISM AUTHORITY.

**S.B. 1399**, AN ACT TO AMEND THE PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY.

**S.B. 1446**, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES.

**H.B. 1921**, AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY AND BY YADKIN COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO.

**H.J.R. 2082**, A JOINT RESOLUTION HONORING THE ONE HUNDRED TWENTY-FIFTH ANNIVERSARY OF YMCA CAMPING. (Res. 29)

#### 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. 1362**, AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY DUE TO THE 2008 NORTH CAROLINA GEODETIC SURVEY WORK THAT DEPICTED AND MONUMENTED THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY. (Became law upon ratification, July 8, 2010 - S.L. 2010-61.)

**S.B. 1435**, AN ACT RELATING TO CITY-COUNTY PLANNING AND ZONING IN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM. (Became law upon ratification, July 8, 2010 - S.L. 2010-62.)

**H.B. 1814**, AN ACT EXEMPTING CATAWBA COUNTY FROM COMPETITIVE BIDDING REQUIREMENTS WHEN LETTING CONTRACTS AUTHORIZED BY ITS BOARD OF COMMISSIONERS TO INCREASE ENERGY EFFICIENCY, AND TO AUTHORIZE THAT COUNTY TO ENTER INTO LEASES FOR THE SITING AND OPERATION

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OF RENEWABLE ENERGY FACILITIES FOR TWENTY YEARS WITHOUT TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION. (Became law upon ratification, July 8, 2010 - S.L. 2010-63.)

**H.B. 1841**, AN ACT TO ALLOW THE MOORE COUNTY BOARD OF EDUCATION TO MAINTAIN A CAMPUS POLICE AGENCY. (Became law upon ratification, July 8, 2010 - S.L. 2010-64.)

**H.B. 1920**, AN ACT TO EXPAND THE MEMBERSHIP OF THE RESOURCES DEVELOPMENT COMMISSION OF BRUNSWICK COUNTY. (Became law upon ratification, July 8, 2010 - S.L. 2010-65.)

**H.B. 1698**, AN ACT TO UPDATE AND CLARIFY NORTH CAROLINA'S GENERAL STATUTES ON OLDER ADULTS AND LONG-TERM SERVICES AND SUPPORTS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-66.)

**S.B. 887**, AN ACT TO: (1) MODIFY THE COMPUTER EQUIPMENT RECYCLING PLAN REQUIREMENTS AND ASSOCIATED FEE IMPOSED ON MANUFACTURERS; AND (2) MAKE FURTHER SUBSTANTIVE, CLARIFYING, TECHNICAL, AND CONFORMING AMENDMENTS TO THE LAWS GOVERNING THE MANAGEMENT OF DISCARDED COMPUTER EQUIPMENT AND DISCARDED TELEVISIONS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-67.)

**S.B. 1193**, AN ACT TO IMPLEMENT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO ENSURE THAT NORTH CAROLINA'S LONG-TERM CARE INSURANCE LAWS COMPORT WITH THE LONG-TERM CARE PARTNERSHIP PROVISIONS IN THE FEDERAL DEFICIT REDUCTION ACT OF 2005, AND TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION BETWEEN THE NORTH CAROLINA DEPARTMENT OF INSURANCE, ENTITIES THAT CONTRACT WITH THE FEDERAL GOVERNMENT, AND OTHER GOVERNMENTAL AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-68.)

**S.B. 1191**, AN ACT TO DIRECT THE DIVISION OF HEALTH SERVICE REGULATION, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO COORDINATE A REVIEW OF THE EDUCATION AND TRAINING REQUIREMENTS FOR NURSE AIDES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-69.)

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**H.B. 382**, AN ACT TO CREATE THE HEALTH CHOICE PROGRAM REVIEW PROCESS TO CONTINUE THE CURRENT REVIEW PROCESS FOR PROGRAM APPLICANTS AND RECIPIENTS APPEALING ENROLLMENT AND ELIGIBILITY DECISIONS, AND CREATE A REVIEW PROCESS FOR PROGRAM RECIPIENTS TO APPEAL HEALTH SERVICES DECISIONS, AND TO ADD THE HEALTH SERVICES REVIEW PROCESS TO THE AGENCIES AND PROCEEDINGS CURRENTLY EXEMPTED FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-70.)

**H.B. 1676**, AN ACT TO RESTORE A BALANCE TO THE LAW ON UNEMPLOYMENT COMPENSATION FOR SUBSTITUTE TEACHERS AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-71.)

**H.B. 2054**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (Became law upon approval of the Governor, July 8, 2010 - S.L. 2010-72.)

**S.B. 430**, AN ACT TO: (1) AMEND THE WILMINGTON CIVIL SERVICE ACT TO PROVIDE THAT THE SITTING MEMBERS OF THE CIVIL SERVICE COMMISSION, BY MAJORITY VOTE, SHALL NAME ONE MEMBER OF THE COMMISSION AND PROVIDE FOR THE REPLACEMENT OF THE MEMBER PREVIOUSLY NAMED BY THE WILMINGTON MINISTERIAL ASSOCIATION; AND (2) CLARIFY AND EXPAND THE AUTHORITY OF THE TOWN OF CAROLINA BEACH TO REGULATE AND ENFORCE LAWS IN CAROLINA BEACH HARBOR AND THE SHORELINE AREA ADJOINING THE TOWN. (Became law upon ratification, July 8, 2010 - S.L. 2010-73.)

**S.B. 1115**, AN ACT TO AUTHORIZE PRINCIPALS IN THE CARTERET COUNTY PUBLIC SCHOOLS TO ADMINISTER OATHS FOR STUDENT ADMISSION. (Became law upon ratification, July 8, 2010 - S.L. 2010-74.)

**S.B. 1361**, AN ACT TO EXCHANGE CERTAIN DESCRIBED TERRITORY BETWEEN THE CITY OF HIGH POINT AND THE CITY OF GREENSBORO. (Became law upon ratification, July 8, 2010 - S.L. 2010-75.)

**S.B. 1445**, AN ACT AUTHORIZING THE CITY OF GOLDSBORO AND THE GOLDSBORO-WAYNE AIRPORT AUTHORITY TO CONVEY BY PRIVATE NEGOTIATION AND SALE ITS RIGHT, TITLE, AND INTEREST IN THE GOLDSBORO-WAYNE MUNICIPAL AIRPORT TO WAYNE COUNTY. (Became law upon ratification, July 8, 2010 - S.L. 2010-76.)

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**H.B. 1944**, AN ACT TO AUTHORIZE THE TOWN OF BERMUDA RUN TO ASSESS GATE OPERATION AND MAINTENANCE FEES AND TO PLACE LIENS ON REAL PROPERTY FOR UNPAID FEES THAT MAY BE COLLECTED AS DELINQUENT PROPERTY TAXES. (Became law upon ratification, July 8, 2010 - S.L. 2010-77.)

#### WITHDRAWAL FROM COMMITTEE

**S.B. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, re-referred to the **Pensions & Retirement and Aging Committee** on July 6.

Pursuant to Rule 47(a), Senator Soles offers a motion that the bill be withdrawn from the **Pensions & Retirement and Aging Committee** and placed on today's Calendar, which motion prevails with unanimous consent.

The Chair orders the bill withdrawn from the **Pensions & Retirement and Aging Committee** and places it on today's Calendar.

#### SENATE PAGES

The President of the Senate recognizes Rebecca Jordan and Mary Alice Cox from Burlington who are serving the Senate as pages today.

#### CALENDAR

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

**S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, for concurrence in House Amendment No. 1 upon second reading.

Upon motion of Senator Hartsell, the Senate concurs in House Amendment No. 1 on its second reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Berger of Rockingham, Bingham, Blake, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goodall, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---46.

Voting in the negative: None.

The Committee Substitute bill, as amended, remains on the Calendar for Saturday, July 10, upon third reading.

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**H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-

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309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (20) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (21) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (22) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

Upon motion of Senator Atwater, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**S.J.R. 1463**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ARTHUR FORLINES, JR., FORMER BANKER.

Upon motion of Senator Jacumin, the joint resolution is read in its entirety.

The joint resolution passes its second reading (48-0) and, without objection, is read a third time and passes its third reading with members standing and is ordered sent to the House of Representatives by special message.

**H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES, as amended on second reading.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill, as amended, temporarily displaced.

**H.B. 1973** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO

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INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS, for adoption.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Conference Report temporarily displaced.

**S.B. 1171** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS; TO MODIFY ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT; AND TO MODIFY THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF COMMERCE MAY EXTEND THE BASE PERIOD FOR A JDIG GRANT, for concurrence in the House Committee Substitute bill upon second reading.

Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill on its second reading, by roll-call vote, ayes 42, noes 7, as follows:

Voting in the affirmative: Senators Albertson, Allran, Apodaca, Atwater, Basnight, Berger of Franklin, Berger of Rockingham, Bingham, Boseman, Brown, Brunstetter, Clary, Clodfelter, Dannelly, Davis, Dickson, Dorsett, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Jacumin, Jenkins, Jones, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Shaw, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---42.

Voting in the negative: Senators Blake, Brock, East, Goodall, Hunt, Kinnaird and Rucho---7.

The House Committee Substitute bill remains on the Calendar for Saturday, July 10, upon third reading.

**S.B. 765** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES WITH RESPECT TO COMMUNITY THIRD PARTY TRUSTS AND MEDICAID POOLED TRUSTS, AND TO PROVIDE FOR MEDICAID REIMBURSEMENT IN CERTAIN CIRCUMSTANCES, for concurrence in the House Committee Substitute bill No. 3.

Upon motion of Senator Stein, the Senate concurs in the House Committee Substitute bill No. 3 (49-0) and the bill is ordered enrolled and sent to the Governor by special message.

**S.B. 1251** (Conference Report), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE

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EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER, for adoption.

The Chair orders, without objection, the Conference Report temporarily displaced.

**H.B. 1829** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY, for adoption.

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. 1256**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, placed earlier on today's Calendar.

The bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives by special message.

### CONFERENCE REPORT

Senator Goodall, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 565** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES, 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 565, A BILL TO BE ENTITLED

July 9, 2010

AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES, Committee Substitute Favorable 5/6/09, submit the following report:

The House concurs in Senate amendment #1 with an amendment as follows, on page 1, line 2 of the amendment, delete "July 1, 2011", and substitute "July 1, 2012".

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 9, 2010.

Conferees for the Senate	Conferees for the House of Representatives
S/W. Edward (Eddie) Goodall, Chair	S/Pryor Gibson, Chair
S/Phil Berger	S/Justin P. Burr
S/Daniel G. Clodfelter	S/Curtis Blackwood

Upon motion of Senator Soles, the rules are suspended and the Conference Report is placed on today's Calendar.

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

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

**S.B. 886** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARKS IN THE STATE, for concurrence in the House Committee Substitute bill No. 2.

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

#### **CALENDAR** (*continued*)

**H.B. 565** (Conference Report), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES, placed earlier on today's Calendar for adoption.

Upon motion of Senator Goodall, 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. 1251** (Conference Report), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE

July 9, 2010



WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER, temporarily displaced earlier today for adoption.

Upon motion of Senator Berger of Franklin, 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.

The Senate recesses at 10:43 A.M. to reconvene at 12:30 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

The Senate recesses at 12:35 P.M. to reconvene at 3:00 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

### RECESS

### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
July 9, 2010

Mr. 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. 972**, A BILL TO BE ENTITLED AN ACT TO GRANT THE RIGHT TO CONSTRUCT AND MAINTAIN A WATER INTAKE SYSTEM IN THE TOWN OF BOONE, and requests conferees.

Speaker Hackney has appointed:

Representative Wainwright, Chair,  
Representative Burr,  
Representative Tarleton, and  
Representative Barnhart

July 9, 2010

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. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION.

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. 972 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Hartsell, Chair, Senator Atwater and Senator Bingham 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.

#### SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives  
July 9, 2010

Mr. 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. 1398**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT, and requests conferees.

Speaker Hackney has appointed:

Representative Goodwin, Chair,  
Representative Stam, and  
Representative Ross

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, 2010

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2010

Mr. 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. 859** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE CONDITIONS OF PROBATION, and requests conferees.

Speaker Hackney has appointed:

Representative Sutton, Chair,  
Representative Faison, and  
Representative Guice

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 9, 2010

Mr. 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. 1251** (Conference Report), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY

July 9, 2010

HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER.

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

**APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1398** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES.

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. 1398 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Snow, Chair, Senator Berger of Rockingham and Senator Garrou 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. 859** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY.

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. 859 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Snow, Chair, Senator Goss and Senator Berger of Franklin 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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The Senate meets pursuant to recess and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

*The Chair grants a leave of absence for the remainder of today's session to Senator Goodall.*

#### **BILL ORDERED ENROLLED**

**S.B. 1251** (Conference Report), A BILL TO BE ENTITLED AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER.

Pursuant to the Senate having adopted the Conference Report for S.B. 1251 earlier today and a message received from the House of Representatives that the House has adopted the Conference Report, the President orders the bill enrolled and sent to the Governor by special message.

#### **CALENDAR** (*continued*)

**H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER

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CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (20) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (21) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (22) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, temporarily displaced earlier today.

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Upon motion of Senator Atwater, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES, temporarily displaced earlier today.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

**H.B. 1973** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS, for adoption.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Conference Report temporarily displaced.

#### WITHDRAWAL FROM COMMITTEE

**S.B. 886** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARKS IN THE STATE, referred to the **Rules and Operations of the Senate Committee** earlier today.

Pursuant to Rule 47(a), Senator Hoyle offers a motion that the House Committee Substitute bill No. 2 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 Committee Substitute bill No. 2 withdrawn from the **Rules and Operations of the Senate Committee** and places it before the Senate for immediate consideration for concurrence.

*Without objection, Senator Clodfelter requests to be excused from voting on the House Committee Substitute bill No. 2 due to a conflict of interest.*

Upon motion of Senator Graham, the Senate concurs in the House Committee Substitute bill No. 2 (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

July 9, 2010

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 1214** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO SPECIFIED DEFINITIONS THAT AFFECT THE APPLICABILITY OF STATE LAW CONCERNING MOTOR CARRIERS, IN ORDER TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION; TO PROVIDE THAT THE AUTHORITY OF LAW ENFORCEMENT TO SEIZE AND DETAIN A PROPERTY-HAULING VEHICLE PURSUANT TO G.S.20-96 IS NOT AFFECTED BY A STATUTE OF LIMITATIONS; TO REQUIRE A PROPERTY-HAULING VEHICLE BE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWED IN ORDER FOR THE VEHICLE TO BE ELIGIBLE FOR CERTAIN WEIGHT EXEMPTIONS IN G.S. 20-118; TO MAKE CHANGES TO THE ESTABLISHMENT, USE, AND REPORTING OF VEHICLE ESCORT FEES; TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATIONS FOR ACTIONS RELATED TO CIVIL PENALTIES, CIVIL ASSESSMENTS, OR CIVIL FINES IMPOSED UNDER CHAPTER 20 OF THE GENERAL STATUTES, THE MOTOR VEHICLE LAWS OF THE STATE; AND TO ALLOW LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Soles, the rules are suspended and the House Committee Substitute bill is placed on the Calendar for immediate consideration for concurrence.

Upon motion of Senator Jenkins, 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.

The Senate recesses at 3:24 P.M. to reconvene at 5:00 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

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

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

House of Representatives  
July 9, 2010

Mr. 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. 565**

July 9, 2010



(Conference Report), A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

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 9, 2010

Mr. 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. 713**, A BILL TO BE ENTITLED AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS, and requests conferees.

Speaker Hackney has appointed:

Representative Luebke, Chair,  
Representative Weiss,  
Representative Wainwright,  
Representative Gibson,  
Representative McGee, and  
Representative McComas

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. 713** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY.

July 9, 2010

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. 713 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Boseman, Chair; Senator Clodfelter; Senator Garrou; and Senator Jenkins 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 meets pursuant to recess and is called to order by The Honorable Marc Basnight, President *Pro Tempore*.

### REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

**H.B. 455**, A BILL TO BE ENTITLED AN ACT DESIGNATING KIDNEY MONTH IN NORTH CAROLINA, 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 70586, which changes the title upon concurrence to read **H.B. 455** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

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

**S.J.R. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 REGULAR SESSION OF THE GENERAL ASSEMBLY, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted.

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

**H.B. 1670** (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.

July 9, 2010

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill 60104, which changes the title upon concurrence to read **H.B. 1670** (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 AND TO FILL AN UNEXPIRED TERM OF A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY LEADER OF THE SENATE, is adopted and engrossed.

Upon motion of Senator Soles, the rules are suspended and the Senate Committee Substitute bill is placed on today's Calendar.

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

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

House of Representatives  
July 9, 2010

Mr. 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. 1765** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; AND TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS, and requests conferees.

Speaker Hackney has appointed:

Representative Gibson, Chair,  
Representative Harrison,  
Representative Crawford,  
Representative Barnhart,  
Representative Iler,  
Representative Stam, and  
Representative McGee

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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

### CONFERENCE REPORT

Senator Snow, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 859** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-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 House Bill 859, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED OFFICERS WHEN THEY ARE OFF-DUTY, Senate Judiciary II Committee Substitute Adopted 7/1/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary II Committee Substitute Adopted 7/1/10, 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 H859-PCCS50978-RL-1.

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

Date Conferees approved report: July 9, 2010.

July 9, 2010

*Conferees for the Senate*  
 S/John Snow, Chair  
 S/Steve Goss  
 S/Doug Berger

*Conferees for the House of Representatives*  
 S/Ronnie Sutton, Chair  
 S/Bill Faison  
 S/W. David Guice

The text of the attached Proposed Conference Committee Substitute, H859-PCCS50978-RL-1 is as follows:

A BILL TO BE ENTITLED

AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-415.10 is amended by adding a new subdivision to read:

- "(4b) Qualified retired probation or parole certified officer. – An individual who retired from service as a State probation or parole certified officer, other than for reasons of mental disability, who has been retired as a probation or parole certified officer two years or less from the date of the permit application and who meets all of the following criteria:
- a. Immediately before retirement, the individual met firearms training standards of the Department of Correction and was authorized by the Department of Correction to carry a handgun in the course of duty.
  - b. The individual retired in good standing and was never a subject of a disciplinary action by the Department of Correction that would have prevented the individual from carrying a handgun.
  - c. The individual has a vested right to benefits under the Teachers' and State Employees' Retirement System of North Carolina established under Article 1 of Chapter 135 of the General Statutes.
  - d. The individual is not prohibited by State or federal law from receiving a firearm."

**SECTION 2.** G.S. 14-415.12A(a) reads as rewritten:

"(a) A person who is a qualified sworn law enforcement ~~officer~~ ~~or officer~~, a qualified former sworn law enforcement ~~officer~~ ~~officer~~, or a qualified retired probation or parole certified officer is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an approved firearms safety and training course."

July 9, 2010

**SECTION 3.** This act becomes effective December 1, 2010, and applies to probation and parole officers who retired before, on, or after December 1, 2010.

Upon motion of Senator Snow, the rules are suspended and the Conference Report is placed on today's Calendar for adoption.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

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. 1765 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair; Senator Atwater; Senator Brown; Senator Kinnaird; Senator Queen; and Senator Stein 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. 859** (Conference Report), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT, placed earlier on today's Calendar for adoption.

Upon motion of Senator Snow, the Senate adopts the Conference Report (45-2).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

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**APPOINTMENT OF ADDITIONAL CONFEREE**

**H.B. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Soles 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.

*Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Walter Dalton, who presides.*

**CONFERENCE REPORT**

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 144** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY 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 144, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, House Committee Substitute Favorable 5/26/10, submit the following report:

The Senate and the House of Representatives agree to the following amendment to the House Committee Substitute Favorable 5/26/10, and the Senate concurs in the House Committee substitute as amended:

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Delete the entire House Committee Substitute Favorable 5/26/10, and substitute the attached Proposed Conference Committee Substitute

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

Date Conferees approved report: July 9, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Daniel G. Clodfelter, Chair	S/Rick Glazier, Chair
Phil Berger	S/Deborah K. Ross
S/John Snow	S/Paul Stam
S/Josh Stein	S/Marvin W. Lucas

The text of the attached Proposed Conference Committee Substitute, S144-PCCS35495-LH-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-1469 reads as rewritten:

**"§ 15A-1469. Postcommission three-judge panel.**

(a) If the Commission concludes there is sufficient evidence of factual innocence to merit judicial review, the Chair of the Commission shall request the Chief Justice to appoint a three-judge panel, not to include any trial judge that has had substantial previous involvement in the case, and issue commissions to the members of the three-judge panel to convene a special session of the superior court of the original jurisdiction to hear evidence relevant to the Commission's recommendation. The senior judge of the panel shall preside. The Chief Justice shall appoint the three-judge panel within 20 days of the filing of the Commission's opinion finding sufficient evidence of factual innocence to merit judicial review.

(a1) If there is an allegation of or evidence of prosecutorial misconduct in the case, the Chair of the Commission or the district attorney of the district of conviction may request the Director of the Administrative Office of the Courts to appoint a special prosecutor to represent the State in lieu of the district attorney of the district of conviction or the district attorney's designee. The request for the special prosecutor shall be made within 20 days of the filing of the Commission's opinion finding sufficient evidence of innocence to merit judicial review.

Upon receipt of a request under this subsection to appoint a special prosecutor, the Director of the Administrative Office of the Courts may temporarily assign a district attorney, assistant district attorney, or other qualified attorney, including one from the prosecutorial district where the convicted person was tried, to represent the State at the hearing before the three-

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judge panel. However, the Director of the Administrative Office of the Courts shall not appoint as special prosecutor any attorney who prosecuted or assisted with the prosecution in the trial of the convicted person. The appointment shall be made pursuant to G.S. 7A-64 and shall be made no later than 20 days after the receipt of the request.

(b) The senior resident superior court judge shall enter an order setting the case for hearing at the special session of superior court for which the three-judge panel is commissioned and shall require the State to file a response to the Commission's opinion within ~~60-90~~ days of the date of the order. Such response, at the time of original filing or through amendment at any time before or during the proceedings, may include joining the defense in a motion to dismiss the charges with prejudice on the basis of innocence.

(c) The district attorney of the district of conviction, or the district attorney's designee, shall represent the State at the hearing before the three-judge ~~panel-panel~~, except as otherwise provided by this section.

(d) The three-judge panel shall conduct an evidentiary hearing. At the hearing, the ~~court-court~~, and the defense and prosecution through the court, may compel the testimony of any witness, including the convicted person. All evidence relevant to the case, even if considered by a jury or judge in a prior proceeding, may be presented during the hearing. The convicted person may not assert any privilege or prevent a witness from testifying. The convicted person has a right to be present at the evidentiary hearing and to be represented by counsel. A waiver of the right to be present shall be in writing.

(e) The senior resident superior court judge shall determine the convicted person's indigency status and, if appropriate, enter an order for the appointment of counsel. The court may also enter an order relieving an indigent convicted person of all or a portion of the costs of the proceedings.

(f) The clerk of court shall provide written notification to the victim 30 days prior to any case-related hearings.

(g) Upon the motion of either party, the senior judge of the panel may direct the attorneys for the parties to appear before him or her for a conference on any matter in the case.

(h) The three-judge panel shall rule as to whether the convicted person has proved by clear and convincing evidence that the convicted person is innocent of the charges. Such a determination shall require a unanimous vote. If the vote is unanimous, the panel shall enter dismissal of all or any of the charges. If the vote is not unanimous, the panel shall deny relief.

(i) A person who is determined by the three-judge panel to be innocent of all charges and against whom the charges are dismissed pursuant to this section is eligible for compensation under Article 8 of Chapter 148 of the General Statutes without obtaining a pardon of innocence from the Governor."

**SECTION 2.** G.S. 7A-64 reads as rewritten:

**"§ 7A-64. Temporary assistance for district attorneys.**

(a) A district attorney may apply to the Director of the Administrative Office of the Courts to:

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- (1) Temporarily assign an assistant district attorney from another district, after consultation with the district attorney thereof, to assist in the prosecution of cases in the requesting district;
- (2) Authorize the temporary appointment, by the requesting district attorney, of a qualified attorney to assist the requesting district attorney; or
- (3) Enter into contracts with local governments for the provision of services by the State pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

(a1) If there is an allegation of or evidence of prosecutorial misconduct in a case that is scheduled for a hearing of a claim of factual innocence under G.S. 15A-1469, the Chair of the North Carolina Innocence Inquiry Commission or the district attorney of the district of the conviction may apply to the Administrative Office of the Courts to authorize the temporary appointment of a district attorney, assistant district attorney, or other qualified attorney as a special prosecutor to represent the State in that hearing.

(b) The Director of the Administrative Office of the Courts may provide this assistance only upon a showing by the requesting ~~district attorney,~~ district attorney or the Chair of the North Carolina Innocence Inquiry Commission, as appropriate, supported by facts, that:

- (1) Criminal cases have accumulated on the dockets of the superior or district courts of the district beyond the capacity of the district attorney and the district attorney's full-time assistants to keep the dockets reasonably current; ~~or~~
- (2) The overwhelming public interest warrants the use of additional resources for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public ~~safety-safety;~~ safety; or
- (3) There is an allegation of or evidence of prosecutorial misconduct in the case that is the subject of the hearing under G.S. 15A-1469.

(c) The length of service and compensation of any temporary appointee or the terms of any contract entered into with local governments shall be fixed by Director of the Administrative Office of the Courts in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Administrative Office of the Courts to provide the administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts to maintain positions or services initially provided for under this section."

**SECTION 3.** G.S. 148-82 reads as rewritten:

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**"§ 148-82. Provision for compensation.**

(a) Any person who, having been convicted of a felony and having been imprisoned therefor in a State prison of this State, and who was thereafter or who shall hereafter be granted a pardon of innocence by the Governor upon the grounds that the crime with which the person was charged either was not committed at all or was not committed by that person, may as hereinafter provided present by petition a claim against the State for the pecuniary loss sustained by the person through his or her erroneous conviction and imprisonment, provided the petition is presented within five years of the granting of the pardon.

(b) Any person who, having been convicted of a felony and having been imprisoned therefor in a State prison of this State, and who is determined to be innocent of all charges and against whom the charges are dismissed pursuant to G.S. 15A-1469 may as hereinafter provided present by petition a claim against the State for the pecuniary loss sustained by the person through his or her erroneous conviction and imprisonment, provided the petition is presented within five years of the date that the dismissal of the charges is entered by the three-judge panel under G.S. 15A-1469."

**SECTION 4.** G.S. 148-84(a) reads as rewritten:

"(a) At the hearing the claimant may introduce evidence in the form of affidavits or testimony to support the claim, and the Attorney General may introduce counter affidavits or testimony in refutation. If the Industrial Commission finds from the evidence that the claimant received a pardon of innocence for the reason that the crime was not committed at all, ~~or received a pardon of innocence for the reason that the crime~~ was not committed by the claimant, or that the claimant was determined to be innocent of all charges by a three-judge panel under G.S. 15A-1469 and also finds that the claimant was imprisoned and has been vindicated in connection with the alleged offense for which he or she was imprisoned, the Industrial Commission shall award to the claimant an amount equal to fifty thousand dollars (\$50,000) for each year or the pro rata amount for the portion of each year of the imprisonment actually served, including any time spent awaiting trial. However, (i) in no event shall the compensation, including the compensation provided in subsection (c) of this section, exceed a total amount of seven hundred fifty thousand dollars (\$750,000), and (ii) a claimant is not entitled to compensation for any portion of a prison sentence during which the claimant was also serving a concurrent sentence for conviction of a crime other than the one for which the pardon of innocence was granted.

The Director of the Budget shall pay the amount of the award to the claimant out of the Contingency and Emergency Fund, or out of any other available State funds. The Industrial Commission shall give written notice of its decision to all parties concerned. The determination of the Industrial Commission shall be subject to judicial review upon appeal of the claimant or the State according to the provisions and procedures set forth in Article 31 of Chapter 143 of the General Statutes."

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**SECTION 5.** Section 12 of S.L. 2006-184 reads as rewritten:

"**SECTION 12.** This act is effective when it becomes law and applies to ~~claims of factual innocence filed on or before December 31, 2010, law.~~"

**SECTION 6.** Sections 1 and 2 of this act become effective October 1, 2010, and apply to all claims of factual innocence filed on or after that date. The remainder of this act is effective when it becomes law.

Upon motion of Senator Clodfelter, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar for adoption.

#### **CALENDAR** *(continued)*

**H.B. 455** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX, placed earlier on today's Calendar.

Upon motion of Senator Clodfelter, the Chair orders, without objection, the Senate 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  
Friday, July 9, 2010

Mr. 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. 972**, A BILL TO BE ENTITLED AN ACT TO GRANT THE RIGHT TO CONSTRUCT AND MAINTAIN A WATER INTAKE SYSTEM IN THE TOWN OF BOONE:

Representative Gillespie has been added as a conferee.

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

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**CONFERENCE REPORT**

Senator Hartsell, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION, 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 972, A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 7/8/10, submit the following report:

The House and Senate agree to the following amendments to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 7/8/10, Second Edition Engrossed 7/8/10, and the House concurs in the Senate Agriculture/Environment/Natural Resources Committee Substitute as amended:

On page 2, line 40, by deleting that line and renumbering the remaining subdivisions of that subsection accordingly;

And on page 3, lines 8 through 10, by deleting those lines and renumbering the remaining subdivisions of that subsection accordingly.

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

Date Conferees approved report: July 9, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Fletcher L. Hartsell, Jr., Chair	S/William L. Wainwright, Chair
S/Bob Atwater	S/Justin P. Burr
S/Stam Bingham	S/Cullie M. Tarleton
	S/Jeff Barnhart
	S/Mitch Gillespie

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Upon motion of Senator Hartsell, the rules are suspended and the Conference report is placed on the Calendar for immediate consideration.

Upon motion of Senator Hartsell, the Senate adopts the Conference Report (48-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**CALENDAR** (*continued*)

**H.B. 1973** (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS, temporarily displaced earlier today for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (31-17).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**S.B. 144** (Conference Report), AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION, placed earlier on today's Calendar for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (45-3).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

**H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY

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VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) ESTABLISH THE NORTH CAROLINA WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP; (14) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (15) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (16) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (17) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (18) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (19) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (20) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (21) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (22) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1,

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2011, AND TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, temporarily displaced earlier today.

Senator Atwater offers Amendment No. 1 which is adopted (47-0), and changes the title upon concurrence.

Senator Nesbitt offers Amendment No. 2 which is adopted (47-0), and changes the title upon concurrence.

Senator Snow offers Amendment No. 3 which is adopted (48-0).

Senator McKissick offers Amendment No. 4 which is adopted (48-0), and changes the title upon concurrence. The new title, as amended and changes upon concurrence, reads **H.B. 1766** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) DIRECT

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CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (14) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (15) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (16) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (17) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (18) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (19) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (20) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (21) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND (22) CLARIFY THE SCOPE OF RESEARCH FOR THE COASTAL WAVE ENERGY RESEARCH AND PROTOTYPE PROJECT AUTHORIZED IN THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2010; AND (23) TO AMEND THE NC SUSTAINABLE COMMUNITIES TASK FORCE.

The Senate Committee Substitute bill, as amended, passes its second reading (42-6) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

The Senate recesses at 5:53 P.M. to reconvene at 9:00 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointments of conferees.

**RECESS**

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**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 308**, AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY.

**S.B. 765**, AN ACT TO AMEND THE GENERAL STATUTES WITH RESPECT TO COMMUNITY THIRD PARTY TRUSTS AND MEDICAID POOLED TRUSTS, AND TO PROVIDE FOR MEDICAID REIMBURSEMENT IN CERTAIN CIRCUMSTANCES.

**S.B. 886**, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARKS IN THE STATE.

**S.B. 1214**, AN ACT TO MAKE CHANGES TO SPECIFIED DEFINITIONS THAT AFFECT THE APPLICABILITY OF STATE LAW CONCERNING MOTOR CARRIERS, IN ORDER TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION; TO PROVIDE THAT THE AUTHORITY OF LAW ENFORCEMENT TO SEIZE AND DETAIN A PROPERTY-HAULING VEHICLE PURSUANT TO G.S. 20-96 IS NOT AFFECTED BY A STATUTE OF LIMITATIONS; TO REQUIRE A PROPERTY-HAULING VEHICLE BE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWED IN ORDER FOR THE VEHICLE TO BE ELIGIBLE FOR CERTAIN WEIGHT EXEMPTIONS IN G.S. 20-118; TO MAKE CHANGES TO THE ESTABLISHMENT, USE, AND REPORTING OF VEHICLE ESCORT FEES; TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATIONS FOR ACTIONS RELATED TO CIVIL PENALTIES, CIVIL ASSESSMENTS, OR CIVIL FINES IMPOSED UNDER CHAPTER 20 OF THE GENERAL STATUTES, THE MOTOR VEHICLE LAWS OF THE STATE; AND TO ALLOW LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS.

**S.B. 1248**, AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, TO REQUIRE LOCAL

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SCHOOL ADMINISTRATIVE UNITS TO CERTIFY COMPLIANCE ANNUALLY TO THE STATE BOARD OF EDUCATION, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PERIODICALLY REVIEW DATA ON THE PROGRESS OF IDENTIFIED STUDENTS AND REPORT TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

**S.B. 1251**, AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER.

**S.B. 1256**, AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

**H.B. 593**, AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, AND TO LIMIT THE USE OF PUBLIC FUNDS BY COUNTIES, MUNICIPALITIES, AND LOCAL BOARDS OF EDUCATION TO ENDORSE OR OPPOSE A REFERENDUM, ELECTION, OR CANDIDATE FOR OFFICE.

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

**H.B. 565**, AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES.

**H.B. 710**, AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION.

**S.J.R. 1463**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN ARTHUR FORLINES, JR., FORMER BANKER. (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. 1298**, AN ACT TO AUTHORIZE THE TOWN OF PEMBROKE TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE CERTAIN TOWNS IN DAVIE COUNTY TO LEVY A THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE MONTGOMERY AND ANSON COUNTIES TO EACH LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX; TO AUTHORIZE DARE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF THE UNINCORPORATED AREAS OF WILKES COUNTY AND TO AUTHORIZE THE SPECIAL TAXING DISTRICT IN WILKES COUNTY TO LEVY UP TO A SIX PERCENT ROOM OCCUPANCY TAX. (Became law upon ratification, July 9, 2010 - S.L. 2010-78.)

**S.B. 1357**, AN ACT TO MODIFY THE CABARRUS COUNTY TOURISM AUTHORITY. (Became law upon ratification, July 9, 2010 - S.L. 2010-79.)

**S.B. 1399**, AN ACT TO AMEND THE PROTEST PETITION REQUIREMENT FOR DURHAM COUNTY. (Became law upon ratification, July 9, 2010 - S.L. 2010-80.)

**S.B. 1446**, AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE ASSESSMENTS AGAINST PROPERTIES SERVED BY STORMWATER FACILITIES FOR THE CONSTRUCTION AND REPAIR OF THOSE FACILITIES. (Became law upon ratification, July 9, 2010 - S.L. 2010-81.)

**H.B. 1893**, AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING WITH CAGE TRAPS IN WINSTON-SALEM; TO AMEND THE LAW AUTHORIZING THE TRAPPING AND SALE OF FOXES IN ASHE COUNTY AND TO REMOVE THE SUNSET ON THAT LAW; AND TO REPEAL AND AMEND CERTAIN LOCAL ACTS WITH RESPECT TO HUNTING IN GREENE COUNTY. (Became law upon ratification, July 9, 2010 - S.L. 2010-82.)

**H.B. 1921**, AN ACT TO PROVIDE THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY WAKE COUNTY AND CERTAIN LOCAL GOVERNMENTS WITHIN THAT COUNTY AND BY YADKIN COUNTY ARE OPEN TO PUBLIC INSPECTION BUT ARE NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO. (Became law upon ratification, July 9, 2010 - S.L. 2010-83.)

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

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

July 9, 2010

House of Representatives  
July 9, 2010

Mr. 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. 859** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT.

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 9, 2010

Mr. 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. 1403** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, AND TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK, and requests conferees.

Speaker Hackney has appointed:

Representative Neumann, Chair,  
Representative Glazier,  
Representative Ross,  
Representative Hall,  
Representative Leubke, and  
Representative Tillis

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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

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

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

House of Representatives  
July 9, 2010

Mr. 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. 972** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION.

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  
Friday, July 9, 2010

Mr. 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. 1099** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL

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AND NATURAL RESOURCES LAWS TO: (1) REPEAL THE REQUIREMENT THAT SEASONAL STATE PARK EMPLOYEES WEAR A UNIFORM VEST; (2) REQUIRE ELECTRONIC REPORTING OF ENVIRONMENTAL LEAD TEST RESULTS AND BLOOD LEAD TEST RESULTS; (3) CLARIFY THE FEE STRUCTURE FOR FOOD AND LODGING PERMITS; (4) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (5) AMEND THE SOLID WASTE DISPOSAL TAX TO STREAMLINE THE PROCESS WHEN A LOCAL GOVERNMENT IS SERVED BY A SOLID WASTE MANAGEMENT AUTHORITY; AND (6) EXTEND BY ONE YEAR THE DEADLINE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NUTRIENT MANAGEMENT STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS:

Third conferees have been requested and Speaker Hackney appoints the following:

Representative Gibson, Chair,  
Representative Harrison,  
Representative Owens, and  
Representative Tillis

Respectfully,  
S/Denise G. Weeks  
Principal Clerk

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

The Senate recesses at 8:59 P.M. to reconvene at 9:20 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

### **RECESS**

### **DISMISSAL OF CONFEREES APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1099** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO: (1) EXTEND BY ONE YEAR THE IMPLEMENTATION OF WATER SYSTEM EFFICIENCY CRITERIA FOR ELIGIBILITY FOR STATE WATER INFRASTRUCTURE FUNDS; (2) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (3) AMEND THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND; (4) PROVIDE THAT CITY AND COUNTY BUILDING INSPECTORS MAY

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RELY UPON A THIRD-PARTY CERTIFICATION FOR PARKING LOTS AND ANY BIORETENTION AREAS DESIGNED AND CONSTRUCTED TO COMPLY WITH G.S. 113A-71; (5) MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS; (6) PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED; (7) DIRECT THE REVENUE LAWS STUDY COMMITTEE AND THE ENVIRONMENTAL REVIEW COMMISSION TO CONDUCT A STUDY OF REVENUE GENERATING OPPORTUNITIES ASSOCIATED WITH ENTITIES USING CERTAIN NATURAL RESOURCES OF THE STATE IN ORDER TO FUND ACTIVITIES THAT WILL PROTECT AND ENHANCE PUBLIC HEALTH AND THE ENVIRONMENT; (8) LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND (9) CREATE THE YADKIN RIVER TRUST TO ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY.

Senator Dannelly announces that the Senate Conferees appointed on July 8, 2010, to resolve the differences in the Senate Committee Substitute bill for H.B. 1099 are hereby dismissed. The new conferees appointed are as follows: Senator Clodfelter, Chairman; Senator Boseman; Senator Hoyle; and Senator Jenkins.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

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

House of Representatives  
July 9, 2010

Mr. 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. 144**

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(Conference Committee Substitute), AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION.

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 report of the Conferees earlier today, the Chair orders the bill 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 Jacumin.*

### CONFERENCE REPORT

Senator Boseman, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 713** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, 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 713, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ALTERNATIVE CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY, Senate Finance Committee Substitute Adopted 8/6/09, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 8/6/09, and the House concurs in the Senate Finance Committee Substitute as amended:

Delete the entire Senate Finance Committee Substitute and substitute the attached proposed Conference Committee Substitute H713-PCCS-50979-RB-4.

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

Date Conferees approved report: July 9, 2010.

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*Conferees for the Senate*  
 S/Julia Boseman, Chair  
 S/Daniel G. Clodfelter  
 S/Linda Garrou  
 S/Clark Jenkins

*Conferees for the House of Representatives*  
 S/Paul Luebke, Chair  
 S/Pryor Gibson  
 Wm. C. "Bill" McGee  
 S/Daniel F. McComas  
 S/William L. Wainwright  
 Jennifer Weiss

The text of the attached Proposed Conference Committee Substitute, H713-PCCS-50979-RB-4 is as follows:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE ADDITION TO FEDERAL TAXABLE INCOME OF AMOUNTS ALLOWED AS A CREDIT AGAINST NORTH CAROLINA INCOME DOES NOT APPLY TO THE FILM CREDIT AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105-130.5(a)(10) reads as rewritten:

"(a) The following additions to federal taxable income shall be made in determining State net income:

- ...
- (10) The total amounts allowed under this Chapter during the taxable year as a credit against the taxpayer's income tax. This subdivision does not apply to a credit allowed under G.S. 105-130.47. A corporation that apportions part of its income to this State shall make the addition required by this subdivision after it determines the amount of its income that is apportioned and allocated to this State and shall not apply to a credit taken under this Chapter the apportionment factor used by it in determining the amount of its apportioned income.

...."

**SECTION 2.(a)** G.S. 105-130.4(t1) reads as rewritten:

"(t1) Alternative Apportionment Method. – A corporation that believes the statutory apportionment method that otherwise applies to it under this section subjects a greater portion of its income to tax than is attributable to its business in this State may make a written request to the Secretary for permission to use an alternative method. The request must set out the reasons for the corporation's belief and propose an alternative method.

The statutory apportionment method that otherwise applies to a corporation under this section is presumed to be the best method of determining the portion of the corporation's income that is attributable to its business in this State. A corporation has the burden of establishing by clear, cogent, and convincing proof that the proposed alternative method is a better method of determining the amount of the corporation's income attributable to the corporation's business in this State.

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The Secretary must issue a written decision on a corporation's request for an alternative apportionment method. If the decision grants the request, it must describe the alternative method the corporation is authorized to use and state the tax years to which the alternative method applies. A decision may apply to no more than three tax ~~years~~-years, unless the provisions of subsection (t2) of this section apply. A corporation may renew a request to use an alternative apportionment method by following the procedure in this subsection. A decision of the Secretary on a request for an alternative apportionment method is final and is not subject to administrative or judicial review. A corporation authorized to use an alternative method may apportion its income in accordance with the alternative method or the statutory method. A corporation may not use an alternative apportionment method except upon written order of the Secretary, and any return in which any alternative apportionment method, other than the method prescribed by statute, is used without permission of the Secretary is not a lawful return."

**SECTION 2.(b)** G.S. 105-130.4 is amended by adding a new subsection to read:

"(t2) 15-Year Alternative. – A corporation that, by September 15, 2010, signs a letter of commitment with the Secretary of Commerce certifying that the corporation will invest at least five hundred million dollars (\$500,000,000) in private funds to construct a facility in a development tier one area within five years after the time construction begins may make a written request to the Secretary for permission to use an alternative method of apportionment if it believes the statutory apportionment method that otherwise applies to it under this section subjects a greater portion of its income to tax than is attributable to its business in this State. The corporation must include the letter of commitment with its request to the Secretary. All of the provisions of subsection (t1) of this section apply to a request for an alternative apportionment method under this subsection except that a decision may apply to no more than 15 tax years."

**SECTION 2.(c)** G.S. 105-122(c1) reads as rewritten:

"(c1) Apportionment. – A corporation that is doing business in this State and in one or more other states must apportion its capital stock, surplus, and undivided profits to this State. A corporation must use the apportionment method set out in subdivision (1) of this subsection unless the Department has authorized it to use a different method under subdivision (2) of this subsection. The portion of a corporation's capital stock, surplus, and undivided profits determined by applying the appropriate apportionment method is considered the amount of capital stock, surplus, and undivided profits the corporation uses in its business in this State.

- (1) Statutory. – A corporation that is subject to income tax under Article 4 of this Chapter must apportion its capital stock, surplus, and undivided profits by using the fraction it applies in apportioning its income under that Article. A corporation that is not subject to income tax under Article 4 of this Chapter must apportion its capital stock, surplus, and undivided profits by using the fraction it would be

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required to apply in apportioning its income if it were subject to that Article. The apportionment method set out in this subdivision is considered the statutory method of apportionment and is presumed to be the best method of determining the amount of a corporation's capital stock, surplus, and undivided profits attributable to the corporation's business in this State.

- (2) Alternative. – A corporation that believes the statutory apportionment method set out in subdivision (1) of this subsection subjects a greater portion of its capital stock, surplus, and undivided profits to tax under this section than is attributable to its business in this State may make a written request to the Secretary for permission to use an alternative method. The request must set out the reasons for the corporation's belief and propose an alternative method. The corporation has the burden of establishing by clear, cogent, and convincing proof that the statutory apportionment method subjects a greater portion of the corporation's capital stock, surplus, and undivided profits to tax under this section than is attributable to its business in this State and that the proposed alternative method is a better method of determining the amount of the corporation's capital stock, surplus, and undivided profits attributable to the corporation's business in this State.

The Secretary must issue a written decision on a corporation's request for an alternative apportionment method. If the decision grants the request, it must describe the alternative method the corporation is authorized to use and state the tax years to which the alternative method applies. A decision may apply to no more than three tax years. ~~years, unless the provisions of subdivision (3) of this subsection applies.~~ A corporation may renew a request to use an alternative apportionment method by following the procedure in this subdivision. A decision of the Secretary on a request for an alternative apportionment method is final and is not subject to administrative or judicial review. A corporation authorized to use an alternative method may apportion its capital stock, surplus, and undivided profits in accordance with the alternative method or the statutory method.

- (3) 15-Year Alternative. – A corporation that, by September 15, 2010, signs a letter of commitment with the Secretary of Commerce certifying that the corporation will invest at least five hundred million dollars (\$500,000,000) in private funds to construct a facility in a development tier one area within five years after the time construction

begins may make a written request to the Secretary for permission to use an alternative method of apportionment if it believes the statutory apportionment method that otherwise applies to it under this subsection subjects a greater portion of its capital stock, surplus, and undivided profits to tax than is attributable to its business in this State. The corporation must include the letter of commitment with its request to the Secretary. All of the provisions of subdivision (2) of this subsection apply to a request for an alternative apportionment method under this subdivision except that a decision may apply to no more than 15 tax years."

**SECTION 3.** Section 1 of this act becomes effective for taxable years beginning on or after January 1, 2011. The remainder of this act is effective when it becomes law. Section 2 of this act applies to requests for alternative apportionment formulas filed on or after that date.

Upon motion of Senator Boseman, the rules are suspended and the Conference Report is placed on the Calendar for immediate consideration.

Upon motion of Senator Boseman, the Senate adopts the Conference Report (31-15).

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:

**S.B. 778** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AN ENVIRONMENTAL DOCUMENT UNDER THE STATE ENVIRONMENTAL POLICY ACT IS NOT REQUIRED IN CONNECTION WITH PROJECTS THAT RECEIVE PUBLIC MONIES IN THE FORM OF CERTAIN ECONOMIC INCENTIVES PAYMENTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill is placed on the Calendar for immediate consideration.

*Without objection, Senator Jenkins requests to be excused from voting on the House Committee Substitute bill due to a conflict of interest.*

Upon motion of Senator Clodfelter, the Senate concurs in the House Committee Substitute bill (43-2) and the bill is ordered enrolled and sent to the Governor by special message.

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**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 1242** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill No. 2 is placed on today's Calendar for immediate consideration.

Upon motion of Senator Hartsell, the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

**S.B. 900** (House Committee Substitute No. 3), 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 No. 3 and House Amendments No. 1, and No. 2.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill No. 3, as amended, is placed on today's Calendar for immediate consideration.

Upon motion of Senator Hoyle, the Senate concurs in the House Committee Substitute bill No. 3 and House Amendments No. 1 and No. 2 (46-0) 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:

**S.B. 1400** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY, for concurrence in House Amendments No. 1 and No. 2.

Upon motion of Senator Hoyle, the rules are suspended and the Committee Substitute bill, as amended, is placed on the Calendar for immediate consideration.

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Upon motion of Senator Davis, the Senate concurs in House Amendments No. 1 and No. 2 (46-0) and the bill is ordered enrolled and sent to the Governor by special message.

#### CALENDAR *(continued)*

**S.J.R. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 REGULAR SESSION OF THE GENERAL ASSEMBLY, as amended by the Rules and Operations of the Senate Committee, placed earlier on today's Calendar.

The joint resolution, as amended, passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives by special message.

#### CONFERENCE REPORT

Senator Snow, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1398** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, 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 1398, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, Senate Judiciary I Committee Substitute Adopted 7/6/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute adopted 7/6/10, 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 H1398-PCCS50975-ST-2.

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

Date Conferees approved report: July 9, 2010.

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*Conferees for the Senate*  
S/John Snow, Chair  
S/Phil Berger  
S/Linda Garrou

*Conferees for the House of Representatives*  
S/Melanie Wade Goodwin, Chair  
S/Paul Stam  
Deborah K. Ross

The text of the attached Proposed Conference Committee Substitute, H1398-PCCS50975-ST-2 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR  
RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7A-41.1(b) reads as rewritten:

"(b) There shall be one and only one senior resident superior court judge for each district or set of districts as defined in subsection (a) of this section, who shall be:

- (1) Where there is only one regular resident superior court judge for the district, that judge; and
- (2) Where there are two or more regular resident superior court judges for the district or set of districts, ~~the judge who, from among all the regular resident superior court judges of the district or set of districts, has the most continuous service as a regular resident superior court judge; provided if two or more judges are of equal seniority, the oldest of those judges shall be the senior regular resident superior court judge.~~ the Chief Justice of the Supreme Court shall designate one of the judges as senior resident superior court judge to serve in that capacity at the pleasure of the Chief Justice. In exercising the authority to appoint senior resident superior court judges pursuant to this subdivision, the Chief Judge shall consider the seniority, experience, and management competence of the regular resident superior court judges. In addition, the Chief Justice shall consult with the regular resident superior court judges, the chief district court judges, the members of the district bar, the clerks of court, district attorneys, and public defenders within the district."

**SECTION 2.** This act becomes effective October 1, 2010, but each senior resident superior court judge seated on that date in a multi-judge district shall continue to serve as senior resident superior court judge until that judge vacates the seat.

Upon motion of Senator Snow, the rules are suspended and the Conference Report, which changes the title, is placed on the Calendar for immediate consideration.

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Upon motion of Senator Snow, the Senate adopts the Conference Report (46-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 1403** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

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. 1403 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair; Senator Blue; Senator Brunstetter; and Senator Stein 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. 455** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX, placed earlier on today's Calendar and temporarily displaced.

The Senate Committee Substitute bill passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence by special message.

**H.B. 1670** (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 AND TO FILL AN UNEXPIRED TERM OF A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY LEADER OF THE SENATE, placed earlier on today's Calendar.

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Senator Hoyle offers Amendment No. 1 which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its second reading (46-0) and, without objection, is read a third time and passes its third reading and is ordered engrossed and sent to the House of Representatives for concurrence by special message.

**H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; AND TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES, as amended and temporarily displaced earlier today.

Senator Hunt offers Amendment No. 6.

Senator Jenkins offers Amendment No. 7 as a Substitute Amendment for Amendment No. 6 which is adopted (26-20).

Senator Berger of Rockingham offers Amendment No. 8 which fails of adoption (18-28).

Senator Berger of Rockingham offers Amendment No. 9.

Senator Stein offers Amendment No. 10 as a Substitute Amendment for Amendment No. 9 which is adopted (28-18) and changes the title upon concurrence to read **H.B. 748** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES; TO REPEAL THE UNCONSTITUTIONAL BAN ON CORPORATE INDEPENDENT EXPENDITURES; TO REQUIRE DISCLOSURES ON ELECTIONEERING COMMUNICATION ADVERTISEMENTS; AND TO CLARIFY NO WRITE-IN CANDIDATES ON A NONPARTISAN RUNOFF ELECTION BALLOT.

Senator Berger of Rockingham offers Amendment No. 11.

Senator Hoyle offers a motion that Amendment No. 11 lie upon the table, seconded by Senator Blue, which motion prevails (28-18).

Senator Hoyle calls the previous question, seconded by Senator Jenkins, which motion prevails (28-18).

The Senate Committee Substitute bill, as amended, passes its third reading (28-18) and, is ordered sent to the House of Representatives unengrossed for concurrence by special message.

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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 **H.B. 1099** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO: (1) EXTEND BY ONE YEAR THE IMPLEMENTATION OF WATER SYSTEM EFFICIENCY CRITERIA FOR ELIGIBILITY FOR STATE WATER INFRASTRUCTURE FUNDS; (2) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (3) AMEND THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND; (4) PROVIDE THAT CITY AND COUNTY BUILDING INSPECTORS MAY RELY UPON A THIRD-PARTY CERTIFICATION FOR PARKING LOTS AND ANY BIORETENTION AREAS DESIGNED AND CONSTRUCTED TO COMPLY WITH G.S. 113A-71; (5) MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS; (6) PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED; (7) DIRECT THE REVENUE LAWS STUDY COMMITTEE AND THE ENVIRONMENTAL REVIEW COMMISSION TO CONDUCT A STUDY OF REVENUE GENERATING OPPORTUNITIES ASSOCIATED WITH ENTITIES USING CERTAIN NATURAL RESOURCES OF THE STATE IN ORDER TO FUND ACTIVITIES THAT WILL PROTECT AND ENHANCE PUBLIC HEALTH AND THE ENVIRONMENT; (8) LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND (9) CREATE THE YADKIN RIVER TRUST TO ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY, 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 1099, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO: (1) EXTEND BY ONE YEAR THE IMPLEMENTATION OF WATER SYSTEM EFFICIENCY CRITERIA FOR ELIGIBILITY FOR STATE WATER INFRASTRUCTURE FUNDS; (2) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL

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ROADS OR PUBLIC VEHICULAR AREAS; (3) AMEND THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND; (4) PROVIDE THAT CITY AND COUNTY BUILDING INSPECTORS MAY RELY UPON A THIRD-PARTY CERTIFICATION FOR PARKING LOTS AND ANY BIORETENTION AREAS DESIGNED AND CONSTRUCTED TO COMPLY WITH G.S. 113A-71; (5) MODIFY THE NUTRIENT MANAGEMENT STRATEGY AND ADOPT A SEDIMENTATION STRATEGY FOR CERTAIN DRINKING WATER SUPPLY RESERVOIRS; (6) PROTECT AND RESTORE WATER QUALITY AND QUANTITY IN THE UPPER NEUSE RIVER BASIN, FALLS LAKE, AND OTHER DRINKING WATER SUPPLY RESERVOIRS BY DIRECTING THE ENVIRONMENTAL MANAGEMENT COMMISSION TO PROVIDE CREDIT TO LOCAL GOVERNMENTS, LANDOWNERS, AND OTHERS WHO REDUCE WATER POLLUTION IN THE UPPER NEUSE RIVER BASIN BEFORE PERMANENT RULES ARE ADOPTED; (7) DIRECT THE REVENUE LAWS STUDY COMMITTEE AND THE ENVIRONMENTAL REVIEW COMMISSION TO CONDUCT A STUDY OF REVENUE GENERATING OPPORTUNITIES ASSOCIATED WITH ENTITIES USING CERTAIN NATURAL RESOURCES OF THE STATE IN ORDER TO FUND ACTIVITIES THAT WILL PROTECT AND ENHANCE PUBLIC HEALTH AND THE ENVIRONMENT; (8) LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND (9) CREATE THE YADKIN RIVER TRUST TO ACQUIRE AND OPERATE THE YADKIN PROJECT, AN EXISTING HYDROELECTRIC FACILITY, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 8/4/09 Fifth Edition Engrossed 8/5/09, submit the following report:

The House and Senate agree to the following amendment to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 8/4/09, Fifth Edition Engrossed 8/5/09, and the House concurs in the Senate Agriculture/Environment/Natural Resources Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached proposed Conference Committee Substitute H1099-PCCS60105-RI-1.

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

Date Conferees approved report: July 9, 2010.

*Conferees for the Senate*  
S/Daniel G. Clodfelter, Chair  
S/Clark Jenkins  
S/David W. Hoyle  
S/Julia Boseman

*Conferees for the House of Representatives*  
S/Pryor Gibson, Chair  
S/Pricey Harrison  
S/Bill Owens  
S/Thom Tillis

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The text of the attached Proposed Conference Committee Substitute, H1099-PCCS60105-RI-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO CLARIFY THE EFFECTIVE DATE OF A PROVISION  
LIMITING THE APPLICABILITY OF THE STATE ENVIRONMENTAL  
POLICY ACT TO PROJECTS RECEIVING ECONOMIC INCENTIVE  
PAYMENTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** If Senate Bill 778 becomes law, then Section 2 of the bill is rewritten to read:

**"SECTION 2.** This act becomes effective June 1, 2010, but does not apply to any project that was the subject of pending litigation or orders issued by a court of competent jurisdiction prior to that date concerning the application of the State Environmental Policy Act to projects receiving economic incentives."

**SECTION 2.** 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.

**CALENDAR** *(continued)*

**S.B. 1242** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, placed earlier on today's Calendar for concurrence.

Upon motion of Senator Hoyle, the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2010

Mr. 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. 713** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ADDITION TO FEDERAL TAXABLE INCOME OF AMOUNTS ALLOWED AS A CREDIT AGAINST NORTH CAROLINA INCOME DOES NOT APPLY TO THE FILM CREDIT AND TO INCREASE

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THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA.

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 9, 2010

Mr. 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. 1398** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT.

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

### **CALENDAR** *(continued)*

**H.B. 1099** (Conference Report), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE OF A PROVISION LIMITING THE APPLICABILITY OF THE STATE ENVIRONMENTAL POLICY ACT TO PROJECTS RECEIVING ECONOMIC INCENTIVE PAYMENTS, placed earlier on today's Calendar for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (46-0).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

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*The Chair grants leaves of absence for the remainder of today's session to Senator Boseman and Senator Clary.*

### **PERSONAL PRIVILEGE**

The remarks by Senator Albertson, Senator Hoyle, and Senator Basnight are spread upon the Journal, as follows:

#### **Senator Albertson:**

“...I want to take this opportunity to, in this Chamber, thank the good people in my district who have allowed me to serve all these many years. It has indeed been a great honor and one that I shall never forget. I should also use this opportunity to thank my legislative people who have helped me so much, Cindy Brooks Davis and Steven Webb, in my office who have done a wonderful job, and the people in this building. I would be remiss if I did not pay a special thanks to all the staff here, so many wonderful people. I came here in 1993, the same time that Senator Hoyle came, and this good man to my right, everybody's good friend, had already been here sixteen years when I came. Others who were here were Senators Allran, Hartsell, and Senator Forrester. I think that's right. Senator Dannelly also joined us that same year and, as I recall, there was a lady who sat over here who is now in the Governor's Mansion by the name of Bev Perdue. And Marc Basnight was elected to his first term as President *Pro Tempore* of the North Carolina Senate. Looking back on my life, of course I've made a lot of mistakes, some things I wish I could do again, but I can't do that. And looking back, I have also let some opportunities go by. At the time when I could have said something good about somebody that I regretted later and with that thought in mind, I want to say a few words about the good man from Manteo, if I may. Under this man's leadership, I just want to share with you a few things that we have accomplished. The Clean Water Management Trust Fund. Since this fund was established, it has awarded over 1,300 grants totaling almost \$1 billion to clean up impaired waters and protect the meaning 'pristine' waters of this State. And then there's the Clean Water Responsibility Act which is aimed at stopping river pollution from all sources, and the Senate Bill 3 that I had the privilege to sponsor. This landmark clean energy efficiency standards to reduce the burdens on foreign oil helped cut pollution and lower greenhouse gases. Now, you remember we passed that \$3.1 billion bond package in 2000 that helps our universities and community colleges with their most critical facility needs. You know as well or better than I do that there is no greater champion of our universities than Marc Basnight. School reform, the ABC's of public education, teacher accountability, and increasing teacher pay to try to bring it to the national average, and then there's the creation of Smart Start to help our children get a ready start for school, the Dental School being established over in Greenville and the University Cancer Research Fund, a nearly \$50 million commitment to cancer research. This is something that has achieved worldwide acclaim and makes us an international leader in treatment and finding a cure for cancer. Then there is the recovery after Hurricane Floyd

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that many of us remember and the beach access money that has been provided for the public. Some of us, Senator Hartsell, Senator Soles and several others went to the Art Museum opening two or three weeks back and what a great facility that is, not only for our people. We were told that people are coming here from Europe to see this Art Museum that we have established under his leadership. I must mention this one to you and it took ten years to get the fishing license bill. He dragged his feet on that one but we finally got it caught in the net. He helped us create one of the top business climates in the Country and has helped us keep an AAA Bond rating. This man from Manteo, always looking forward, always wanting more, never satisfied with second best, and never giving up on his beliefs. I wrote a little thing about him if I can remember it:

Marc Basnight is a good man. He hails from Manteo.

His service to the people keeps him on the go.

He works hard, gives a lot, we owe a lot to him.

He's our chief and leader, the best of all *pro tems*.

Marc Basnight, I thank you sir for your leadership to this State and your hard work that will live on for years and years to come. Thank you very much, Sir.”

**Senator Hoyle:**

“I would just say that I'm not very good at this. An Old Testament passage, 'To everything there is a season and a time to every purpose.' And the time has come for me to go. I will say to each of you, your time is going to come as well. This place is not forever. When I was elected in 1992, I never dreamed that I would stay in this Senate for eighteen years. That's fully a quarter, 25% of my life, but I can tell you that I have truly enjoyed this experience. Well, most of the time, I would say! I could go into details but I think most of you know where we all have problems here. But I have some feelings of sadness and nostalgia as I leave, but also a feeling of relief and satisfaction that I feel I have given these years of service my all. As they say in the old poker game, all in. Well, I feel like I've been all in every day. I have no regrets about what I have worked for and voted for or voted against. I probably pushed this red or green button 10,000 times in eighteen years, but as I think back I would not change one vote that I have cast. Like Senator Albertson, I want to thank Marc Basnight for giving me the opportunity to serve in a leadership role fairly early in my political career. Marc, I hope I haven't let you down. You are a great and dedicated leader, an honorable and honest man. I've known Marc for over thirty-three years, during which time Marc has become my best friend and my buddy. We've had a lot of laughs and lot of good times, but we've also shared a few tears together as there has been some grief and heartbreak along the way. I think you all know what I'm talking about. On a lighter note, I'll never forget the day that I met Marc Basnight. It was on a hot July day in 1977. As we were sworn in to be members of the State Board of Transportation and we were just outside the DOT building and as typical as those kind of things are, everybody's greeting and meeting, and I knew no one except Dave Bumgardner, a House member from Belmont. We looked around and, you know, everybody was

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saying, 'I'm so and so, I'm from here, I'm from there.' Well, I spotted this young man who stood out from the crowd for two reasons. One, his dress. Now Marc is a dapper guy now, he's a shopper. In fact, Belks has named him 'Shopper of the Month' on many occasions and he always is proud to show me his wardrobe when he goes and purchases it and what do you think about it and I would say well that is 120 million fine woven fabric, it's just wonderful, makes him feel good, you know! But that day in 1977, here was this nice looking young man with a bright yellow knit tie. Knit ties are pretty heavy on their own. He had a knot tied in that tie that was big as a cantaloupe! I promise you not. His shirt, now it was clean, but it went out of style in the '40's. In fact, I'm not sure that it didn't wash up on shore from one of those sunken German U-boats that was sunk off the coast and he found it! But, let me tell you, he had no sport coat on. He had shoes, but no socks, o.k. Now, in his mind he was decked out and ready to go. Charlie Dannelly, you couldn't hold a candle to that guy, I can tell you that right now. The second reason, though, that Marc stood out to me initially, was he had an entourage. He was the center of attraction, believe me, and was already holding court; he was in charge. So I asked Representative Dave Bumgardner, who was a friend of mine from Belmont, the only body I knew on the Board. I said, 'Who is that fellow over there?' He said, 'Oh, that's Marc Basnight from Manteo.' So, an introduction took place and the beginning of a long and lasting friendship. Let me just tell you how I got here and bear with me because I'm giving up the Oxmeter and this is the last time you'll have to put up with me again. But let me just tell you because I think this may be interesting. It's probably a challenge some but it could be an inspiration to others. In 1992, I had a significant disagreement with my then Senator, Senator Helen Marvin, over redistricting. Forrester, I think you remember that. What she planned to do was, my little hometown of Dallas was two precincts, we were going to be divided. I was going to be in one precinct, one district, and Helen's seat was going to be in another. The folks in my small hometown didn't particularly care for that and I called Helen and she was pretty indignant to me and she said, 'Well, David, you haven't told me you want to run for my seat and I'm not going to put you in the district.' She said, 'I have a candidate for my seat,' and that was the end of it. Period. What was ironic, though, is I had probably decided that I wasn't going to run for Helen's seat anyway. I had other things going on in my life and I just didn't feel like getting involved at that time, so on a Sunday afternoon, the day before the final vote on redistricting was to take place, some friends came by my house on Sunday and said, "You know, this is not right. Helen has not handled this properly and we need to do something about it." So we started making phone calls. We called Dennis Winner who was the redistricting chair; we called Henson Barnes, we called Marc Basnight, we called four or five other folks and just told them that it was not right that we had not been informed properly and so and so but, anyway, long story short, is that the next day Helen called me about 5 o'clock before the Senate voted that night. She said, 'You win. You're in my district and Dallas' two precincts will not be divided.' Well, my buddies told me, 'David, you don't realize it but you have just placed yourself in a precarious position because you

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probably committed yourself to running for the North Carolina Senate.’ As I said, I had never planned that but it hit me that they were probably correct. And I recall a quote from a book that I read a number of years ago, the book was entitled *The Last Convertible* and the setting was in the spring and summer of 1942 and it was about the lives of a group of high school seniors before World War II and in the book this line stating was: ‘We plan our lives but accidents control it.’ ‘We plan our lives but accidents control it’. Let me tell you, that is an absolute true statement. I am probably here by accident, or maybe just plain luck. The reason I got into this, shaped up like this. In the primary, I was running against a former Speaker of the House and a former candidate for Lieutenant Governor. A real challenge. Then, in the General Election, if I were to prevail I would be running against a former minority leader of the House, a very popular young Republican. All the local press, all the stories came out and they didn’t even mention me. The race was not between me and these other guys. It was between them. I had to even buy an ad in the *Gaston Gazette* to get my announcement made that I was running and that’s the truth! At the press conference when I made my announcements in Gaston County and Cleveland County, other than my family, there wasn’t a soul there. Not one person from the press showed up. That pretty well tells you what they thought of me. But anyway after that we knew that I had an uphill battle. But obviously I’m here so you know the results. After my election, Marc Basnight called me a couple of days later and said that he was running for President *Pro Tem* of the Senate and asked for my support. He said, ‘David, you don’t have to tell me right now. Take some time to think about it and get back with me when you can.’ So I said, ‘O.K., Marc, I’ve thought about it and I’m for you.’ I didn’t even know what President *Pro Tem* of the Senate was to be honest with you. But he said, ‘Well, let me tell you one thing. You made a wise choice because I think I’m going to get elected and it’s probably good for you and your political career that you’ve gotten on board this early.’ I got here in January and in March ’93 Marc was looking for someone to share an apartment with so we got together and for eighteen years, that’s longer than most marriages last, we have been apartment mates. Now, Marc will occasionally say, ‘I want you to meet my roommate.’ Marc, we are not roommates. We are apartment mates, two bedrooms, two baths, just wanted to get that straight. In those eighteen years, we have never had a major disagreement. Now, let me tell you, he’s lit me up a few times, just like he has a lot of folks in here and generally over some idea he had that I didn’t agree with. Now, Marc’s biggest problem that he has is he has too many good ideas. He gets a new one every thirty minutes and some of us have to try to bring him back down to reality! Now, there have been several and we’ve heard a couple of them today. We’re going to be studying something about, I’ve been hearing about wave energy and all that stuff. Well, any idea he has is always, though, from his heart, and he believes for the good of the State and the people. So, as I go, I want to say to every one of you that I have the deepest respect and admiration for you and your service and even your political points of view, whether we agree or not. I truly appreciate everyone who serves in public office. Many times, it’s a thankless job. So I thank God that we still have good

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people who are willing to serve and put up with all the negative attitudes, with all the hate mail that we get, and begging for campaign contributions every election cycle. You are all special people who love this State and only want what's the best for this State and its people. I wish you all the best. God bless and Godspeed. Thank you."

**Senator Basnight:**

**Remarks about Senator David Hoyle and Senator Charlie Albertson:**

"They spent more time than was necessary or true talking about me in their farewell speeches. There is nothing that I have done, Charlie and David, that you have not done. In fact, there is nothing that I have done that we have not done together. There is so much generosity in your life, the two of you, the giving, the caring, the understanding, the fortitude and strength to do what is right and to care more for others than thyself. So many times, David, you had to leave home and business. Charlie, you had to drive up here, leave your wife, your family. You had to change and adjust for others to make sure their stock in life, their opportunity, was stronger and better and strengthened. You would always look out for those who had the least in life. David, you made certain that people in Dare County, Gaston County, Buncombe, Forsyth, Columbus, Nash – whatever county in North Carolina - that we had strong employers. Without the strength of the business community in North Carolina, we would have not much to offer our people. I believe David Hoyle has done more for the success of North Carolina's employees than anybody I have ever met or ever read about. He stood firm and steadfast when many of us had little vision. Not those of us necessarily serving here, but the people of North Carolina and her government. David always thought and believed you could compete with the best that there was, regardless, Stan, of where it was. He knew about China before I knew China was on the globe. He knew that they were a force that we would see and we would deal with before anyone wrote about it. He also predicted to me that textiles had a bright future when people would write about and comment about the demise of textiles and furniture manufacturing in North Carolina that was going overseas. David told me that is not so and he kept insisting that we expend monies at the textiles school in Gaston County when stories were being written and political ads taken that that school should close. But because of that school and others like that that he believed in, we are better by our textile industry which is showing growth in North Carolina. Energy today in North Carolina, Duke Power, Progress, Dominion, the cities, all of what we have you have to give a great deal of credit to him. The bills that would come out of Finance, the guidance that he would offer us, he was the visionary. I believe tonight, today, tomorrow morning when we leave, we lose the best pro-business senator to ever serve the State of North Carolina. I told his local paper that not only did Gaston County lose and for those of you in the gallery, Dare County lost and you lost, as well. We all lost when David elected not to run again. I thank you. The best friend I have in the world, is you, David, and I thank you for the years and many more good times to come."

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**Remarks about Senator R. C. Soles:**

“Senator Soles, you are a blessing to all of us but most especially I will remember you as the one senator who believed that your people were equal to any people in this State and he always believed, Josh and Dan, that Wake County, Mecklenburg County, any of those great counties, did not produce anybody any better than the people you represented, even though those people had little income and not the same start in life that others had. I asked you once why you stayed in Columbus County, Tabor City. You had great wealth, you had all of what a man needed to live in a fine condo and kick the feet up and do little in life. But you told me that there was much to be done, much work to be done for the smaller people in North Carolina. You would not leave those people. You believed in that community and you also assured me you would die there. You are a great member, a great friend, and what you’ve done for me is greatly appreciated.”

**Remarks about Senator Charlie Albertson:**

“Charlie, I sort of run out of steam if I rush my words and I’m trying to slow that up but, Charlie Albertson, I could talk about you and what you’ve done for the air, the soil, the water, the farmer, the fisherman. You believed in all of us and they were the people that needed some help the very most of any. When I saw a friend who believed we had to do differently than we were doing when the waters, the rivers, the Neuse, the Tar, the Chowan, when they clogged up with algae, you wanted to respond, you wanted a change. You would write laws that made significant conclusions to the change that had to occur. Why did you do that? I’m not sure. You came from a region of North Carolina that needed work, needed jobs. You always worked in that vein. You always fought for the little guy. Education was never good enough. You told me one evening about the color of skin and why was it that some people would look down on someone because of that color. We know in this Body the kind of diversity that Eastern North Carolina has. We know what is found in the West. Not much difference as they are all God’s people. You are a Godly man who truly cares and influenced how we felt and how we thought. You never wanted a political piece of what this Body is at times. I am a bit lost for words because I’m thinking of how you embraced me when my wife passed away and how you treated me, how you loved me, and that’s the kind of man you are. You love all people, Republicans, Democrats, black, white, Latino, whatever they may be in life. You are a Godly man and we have been blessed by having you in this Chamber. I thank you, Charlie Albertson, for this love affair with this Body, this group of people and the great State of North Carolina. Thank you, Charlie.”

**Remarks about Senator Katie Dorsett:**

“Katie, when you came to the Senate, I knew of you. You worked in the Department of Administration, but when I saw you I had no idea you were quite as beautiful as you are. And you know, to this day, Katie, you’re still one of the

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most beautiful people, not just in the face, not just what you are as you carry your person, but what you are inside. You are one loving, caring human being. You are always fighting for what is right, what is good. You always question all of us in caucus and you speak with such value, such love, such concern, and you always wanted to make sure that your district was appreciated and rewarded whenever we did something anywhere in North Carolina. You are a great Senator and we will miss you for a number of reasons, but the one that makes you special is that you truly care for me and Doc and Dan and Don and you care for all people, little, big, strong, and weak, whatever they are. You are a blessing to life, a beautiful, beautiful human being. Thank you for gracing these floors and this Chamber and our Body. We will miss you greatly. Thank you, Katie.”

**Remarks about Senator Julia Boseman:**

“Julia has left but maybe somebody will tell her what I said. When I met Julia and she was a candidate for the North Carolina Senate, I knew something about her but did not know her. I knew her mother through a friend. I was a bit taken aback when I was told Julia was gay and we had never elected a person who was gay in the North Carolina Body, who was a lady and who publicly had disclosed what her preference was in life. But I knew from the way my mother raised me that people were people regardless of what their orientation was. My mother kept the Bible beside her bedside and would carry that Bible to her chair and read it, I guess, dozens of times. She would drag her children to church on Sunday and we would sit in the back of the church in Manteo. We did not have a great deal growing up. Mom was a single mom with seven children but she taught us we are no better than anyone; we are no better and I never forgot that and I never believed that Julia was any different than you, Don, any different than you, Jean, or any different than any of the other nine and a half million people in North Carolina. She would fight and does fight for her beliefs. She has two children and she will raise them well. She is a true friend of mine and I am proud to have served with her. So, Julia, wherever you may be, a friend is recognizing a friend.”

**Remarks about Senator Jim Jacumin:**

“Jim Jacumin and I became much closer than I thought that I could with a man who I had only met for a few months and knew little about. My wife passed away and Jim came to the services as many and most of you did, as well. Jim held prayer with me and that prayer meant so very much. He was such a committed man. He believes beyond what I have ever been able to express. He assured me that my wife was awaiting me and was in great joy with her parents and her family. He kept telling me this is the right way and I kept saying, ‘No, Jim, it is not the right way. She has left too early.’ And yet he persisted in his belief that I was the one who would be overjoyed one day when we were reunited. Jim and I started chatting and talking about business and the Lord and

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we would hold prayer and then quickly he would shift gears into making sure we would do right by business and industry in North Carolina. We have truly lost a great deal this year in this Body. These members that are leaving will not be replaced very easily. I'm not sure what they will be but tonight I really don't care. We're losing real good friends that have made my life richer and I know very well it has made your life as well, much, much better."

**Remarks about Senator Larry Shaw:**

"Larry, you are the person who would speak up in our caucus. At the rarest of times you would pronounce something that needed to be said and you would say it with the conviction that we all should have. Larry also called me when my wife passed and Larry and I talked about what would have happened if life were not to end for all people. Larry has been a major friend of all of ours and we will miss him, as well."

**Remarks about Senator Eddie Goodall:**

"Eddie, I wish you were here. You are a person who would speak and you spoke non-political. He never was political. My team is very political. You have some who are political as well. I have some who are not political, despise being political. Eddie was one of those. He did not want to be political at all. He just cared about North Carolina. He just cared about her people. He would call me and just chat about things that were worthy. He said there are certain things that I would like for you to think about. I know I can't do it but would you maybe consider doing this, and one of those things that he mentioned one night we did. We actually did it and I got a big plaque for getting it done. I'll send that to Eddie one day! But he'll do well by charter schools. They need someone like him that will bring to us the information that will, hopefully, allow us to improve our schools in North Carolina. So, Eddie, thank you and let's give Eddie a big hand and stand up if you will."

**SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 9, 2010

Mr. 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. 1099** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EFFECTIVE DATE OF A PROVISION LIMITING THE APPLICABILITY OF THE STATE ENVIRONMENTAL POLICY ACT TO PROJECTS RECEIVING ECONOMIC INCENTIVE PAYMENTS.

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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 9, 2010

Mr. 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. 683**, A BILL TO BE ENTITLED AN ACT ESTABLISHING NORTH CAROLINA HOT SAUCE DAY, and requests conferees.

Speaker Hackney has appointed:

Representative Owens, Chair, and  
Representative Goforth

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 9, 2010

Mr. 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. 961** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PREVENT CONFLICT OF INTEREST AND ITS APPEARANCE INVOLVING POLITICAL CONTRIBUTIONS BY STATE CONTRACTORS, and requests conferees.

Speaker Hackney has appointed:

Representative Glazier, Chair  
Representative Ross,  
Representative Martin,  
Representative Goodwin,  
Representative Hall,  
Representative Howard,  
Representative Stam, and  
Representative Brubaker

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. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER 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 No. 3 for H.B. 961 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Nesbitt, Chair; Senator Berger

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of Rockingham; Senator Blue; Senator Brunstetter; Senator Clodfelter; Senator Goss; Senator Stein; 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.

### ENROLLED BILLS AND RESOLUTIONS

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

**S.B. 144**, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION.

**H.B. 859**, AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT.

**H.B. 972**, AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION.

### 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. 565**, AN ACT TO ALLOW UNION COUNTY TO ADJUST ITS FIRE PROTECTION FEES. (Became law upon ratification, July 9, 2010 - S.L. 2010-84.)

**H.B. 710**, AN ACT TO CORRECT THE BOUNDARIES OF THE TOWN OF ARCHER LODGE BY REMOVING A PARCEL INCLUDED IN THE ORIGINAL DESCRIPTION. (Became law upon ratification, July 9, 2010 - S.L. 2010-85.)

### APPOINTMENT OF CONFERENCE COMMITTEE

**H.B. 683** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009.

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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. 683 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore* announces the appointment of Senator Clodfelter, Chair, Senator Hartsell 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.

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1403** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, 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 1403, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, Senate Judiciary I Committee Substitute Adopted 7/8/10 Sixth Edition Engrossed 7/8/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Judiciary I Committee Substitute Adopted 7/8/10, Sixth Edition Engrossed 7/8/10, and the House concurs in the Senate Judiciary I Committee Substitute as amended:

Delete the entire Senate Judiciary I Committee Substitute and substitute the attached proposed Conference Committee Substitute H1403-PCCS80656-SA-1

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

Date Conferees approved report: July 9, 2010.

*Conferees for the Senate*  
S/Daniel G. Clodfelter, Chair  
S/Dan Blue  
S/Peter S. Brunstetter  
S/Josh Stein

*Conferees for the House of Representatives*  
S/Wil Neumann, Chair  
S/Rick Glazier  
S/Deborah K. Ross  
Larry D. Hall  
Paul Luebke  
S/Thom Tillis

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The text of the attached Proposed Conference Committee Substitute, H1403-PCCS80656-SA-1 is as follows:

A BILL TO BE ENTITLED  
AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY  
PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND  
TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE  
UPON CONVICTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** This act shall be known and may be cited as "The DNA Database Act of 2010."

**SECTION 2.** G.S. 15A-266.2 reads as rewritten:

**"§ 15A-266.2. Definitions.**

As used in this Article, unless another meaning is specified or the context clearly requires otherwise, the following terms have the meanings specified:

- (1) "CODIS" means the FBI's national DNA identification index system that allows the storage and exchange of DNA records submitted by federal, State and local forensic DNA laboratories. The term "CODIS" is derived from Combined DNA Index System, System (NDIS) administered and operated by the Federal Bureau of Investigation.
- (1a) "Custodial Agency" means the governmental entity in possession of evidence collected as part of a criminal investigation or prosecution. ~~This term includes a central evidence storage facility operated by a State agency.~~
- (2) "DNA" means deoxyribonucleic acid. DNA is located in the ~~nucleus of~~ cells and provides an individual's personal genetic blueprint. DNA encodes genetic information that is the basis of human heredity and forensic identification.
- (3) "DNA Record" means DNA identification information stored in the State DNA Database or CODIS for the purpose of generating investigative leads or supporting statistical interpretation of DNA test results. The DNA record is the result obtained from the ~~DNA typing tests analysis~~. The DNA record is comprised of the characteristics of a DNA sample which are of value in establishing the identity of individuals. The results of all DNA identification ~~tests analyses~~ on an individual's DNA sample are also collectively referred to as the DNA profile of an individual.
- (4) "DNA Sample" ~~in this Article~~ means a blood, buccal, cheek swabs, or any other biological sample containing cells provided by any person with respect to convicted of offenses covered by this Article or submitted to the SBI

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- ~~Laboratory~~ State Bureau of Investigation pursuant to this Article for analysis pursuant to a criminal ~~investigation~~ investigation or storage or both.
- (5) "FBI" means the Federal Bureau of Investigation.
- (5a) "NDIS" means the National DNA Index System that is the national DNA database system of DNA profile records which that meet federal quality assurance and privacy standards.
- (6) "SBI" means the State Bureau of Investigation. The SBI is responsible for the ~~policy management~~ policy, management, and administration of the State DNA identification record system to support law ~~enforcement,~~ and for ~~liaison with the FBI regarding the State's participation in CODIS enforcement and other criminal justice agencies.~~
- (7) "State DNA Database" means the SBI's DNA identification record system to support law enforcement. It is administered by the SBI and provides DNA records to the FBI for storage and maintenance in CODIS. The SBI's DNA Database system is the collective capability provided by computer software and procedures administered by the SBI to store and maintain DNA records related to ~~forensic casework, to convicted offenders required to provide a DNA sample under this Article, and to anonymous DNA records used for research or quality control;~~ to: forensic casework; convicted offenders and arrestees required to provide a DNA sample under this Article; persons required to register as sex offenders under G.S. 14-208.7; unidentified persons or body parts; missing persons; relatives of missing persons; and anonymous DNA profiles used for forensic validation, forensic protocol development, or quality control purposes or establishment of a population statistics database for use by criminal justice agencies.
- (8) "State DNA Databank" means the repository of DNA samples collected under the provisions of this Article.
- (9) "Criminal Justice Agency" means an agency or institution of a federal, State, or local government, other than the office of the public defender, that performs as part of its principal function, activities relating to the apprehension, investigation, prosecution, adjudication, incarceration, supervision, or rehabilitation of criminal offenders.
- (10) "Arrestee" means any person arrested for an offense in G.S. 15A-266.3A(d) or (e).
- (11) "Conviction" includes a conviction by a jury or a court, a guilty plea, a plea of nolo contendere, or a finding of not guilty by reason of insanity or mental disease or defect."

**SECTION 3.** G.S. 15A-266.3 reads as rewritten:

**"§ 15A-266.3. Procedural compatibility with the FBI. Establishment of State DNA database and databank.**

The DNA identification system as established by the SBI shall be compatible with the procedures specified by the FBI, including use of comparable test procedures, laboratory equipment, supplies, and computer software. There is established under the administration of the SBI, the State DNA Database and State DNA Databank. The SBI shall provide DNA records to the FBI for the searching of DNA records nationwide and storage and maintenance by CODIS. The State DNA Databank shall serve as the repository for DNA samples obtained pursuant to this Article. The State DNA Database shall be compatible with the procedures specified by the FBI, including use of comparable test procedures, laboratory and computer equipment, supplies and computer platform and software. The State DNA Database shall have the capability provided by computer software and procedures administered by the SBI to store and maintain DNA records related to all of the following:

- (1) Crime scene evidence and forensic casework.
- (2) Arrestees, offenders, and persons found not guilty by reason of insanity, who are required to provide a DNA sample under this Article.
- (3) Persons required to register as sex offenders under G.S. 14-208.7.
- (4) Unidentified persons or body parts.
- (5) Missing persons.
- (6) Relatives of missing persons.
- (7) Anonymous DNA profiles used for forensic validation, forensic protocol development, or quality control purposes or establishment of a population statistics database, for use by criminal justice agencies."

**SECTION 4.** Article 13 of Chapter 15A of the General Statutes is amended by adding a new section to read:

**"§ 15A-266.3A. DNA sample required for DNA analysis upon arrest for certain offenses.**

(a) Unless a DNA sample has previously been obtained by lawful process and the DNA record stored in the State DNA Database, and that record and sample has not been expunged pursuant to any provision of law, a DNA sample for DNA analysis and testing shall be obtained from any person who is arrested for committing an offense described in subsection (d) or (e) of this section.

(b) The arresting law enforcement officer shall obtain, or cause to be obtained, a DNA sample from an arrested person at the time of arrest, or when fingerprinted. However, if the person is arrested without a warrant, then the DNA sample shall not be taken until a probable cause determination has been made pursuant to G.S. 15A-511(c)(1). The DNA sample shall be by cheek swab unless a court order authorizes that a DNA blood sample be obtained. If a DNA blood sample is taken, it shall comply with the requirements of G.S. 15A-

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266.6(b). The arresting law enforcement officer shall forward, or cause to be forwarded, the DNA sample to the appropriate laboratory for DNA analysis and testing.

(b1) At the time a DNA sample is taken pursuant to this section, the person obtaining the DNA sample shall record, on a form promulgated by the SBI, the date and time the sample was taken, the name of the person taking the DNA sample, the name and address of the person from whom the sample was taken, and the offense or offenses for which the person was arrested. This record shall be maintained in the case file and shall be available to the prosecuting district attorney for the purpose of completing the requirements of subsection (g1) of this section.

(b2) After taking a DNA sample from an arrested person required to provide a DNA sample pursuant to this section, the person taking the DNA sample shall provide the arrested person with a written notice of the procedures for seeking an expunction of the DNA sample pursuant to subsections (f), (g), (g1), (g2), and (g3) of this section. The Department of Justice shall provide the written notice required by this subsection.

(c) The DNA record of identification characteristics resulting from the DNA testing and the DNA sample itself shall be stored and maintained by the SBI in the State DNA Databank pursuant to this Article.

(d) This section shall apply to a person arrested for violating any one of the following offenses in Chapter 14 of the General Statutes:

- (1) G.S. 14-17, First and Second Degree Murder.
- (2) G.S. 14-18, Manslaughter.
- (3) Any offense in Article 7A, Rape and Other Sex Offenses.
- (4) G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; G.S. 14-32.4(a), Assault inflicting serious bodily injury; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; and G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility.
- (5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A, Human Trafficking.
- (6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of dwelling house burglary; G.S. 14-54.1, Breaking or entering a place of religious worship; and G.S. 14-57, Burglary with explosives.

- (7) Any offense in Article 15, Arson.
- (8) G.S. 14-87, Armed robbery.
- (9) Any offense which would require the person to register under the provisions of Article 27A of Chapter 14 of the General Statutes, Sex Offender and Public Protection Registration Programs.
- (10) G.S. 14-196.3, Cyberstalking.
- (11) G.S. 14-277.3A, Stalking.

(e) This section shall also apply to a person arrested for attempting, solicitation of another to commit, conspiracy to commit, or aiding and abetting another to commit, any of the violations included in subsection (d) of this section.

(f) The State Bureau of Investigation shall remove a person's DNA record, and destroy any DNA biological samples that may have been retained, from the State DNA Database and DNA Databank if both of the following are determined pursuant to subsection (g) of this section:

- (1) As to the charge, or all charges, resulting from the arrest upon which a DNA sample is required under this section, a court or the district attorney has taken action resulting in any one of the following:
  - a. The charge has been dismissed.
  - b. The person has been acquitted of the charge.
  - c. The defendant is convicted of a lesser-included misdemeanor offense that is not an offense included in subsection (d) or (e) of this section.
  - d. No charge was filed within the statute of limitations, if any.
  - e. No conviction has occurred, at least three years has passed since the date of arrest, and no active prosecution is occurring.
- (2) The person's DNA record is not required to be in the State DNA Database under some other provision of law, or is not required to be in the State DNA Database based upon an offense from a different transaction or occurrence from the one which was the basis for the person's arrest.

(g) Prior to June 1, 2012, upon the occurrence of one of the events in sub-subdivision d. or e. of subdivision (1) of subsection (f) of this section, the defendant or the defendant's counsel shall provide the prosecuting district attorney with a signed request form, promulgated by the Administrative Office of the Courts, requesting that the defendant's DNA record be expunged from the DNA Database and that any biological samples in the DNA Databank be destroyed. On or after June 1, 2012, upon the occurrence of one of the events in sub-subdivision d. or e. of subdivision (1) of subsection (f) of this section, no request form shall be required and the prosecuting district attorney shall initiate the procedure provided in subsection (g1) of this section.

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(g1) Prior to June 1, 2012, within 30 days of the receipt of the form required by subsection (g) of this section or the occurrence of one of the events in sub-subdivision a., b., or c. of subdivision (1) of subsection (f) of this section; and on or after June 1, 2012, within 30 days of the occurrence of one of the events in subdivision (1) of subsection (f) of this section, the prosecuting district attorney shall determine if a DNA sample was taken pursuant to this section, and if so, shall:

- (1) Verify and indicate the facts of the qualifying event on a verification form promulgated by the Administrative Office of the Courts.
- (2) Include the last known address of the defendant, as reflected in the court files, on the verification form.
- (3) Sign the verification form or, if the defendant was acquitted or the charges were dismissed by the court, obtain the signature of a judge.
- (4) Transmit the verification form to the SBI.

(g2) Within 30 days of receipt of the verification form, the SBI shall:

- (1) Determine whether the requirement of subdivision (2) of subsection (f) of this section has been met.
- (2) If the requirement has been met, remove the defendant's DNA record and samples as required by subsection (f) of this section.
- (3) Mail to the defendant, at the address specified in the verification form, a notice either:
  - a. Documenting expunction of the DNA record and destruction of the DNA sample, or
  - b. Notifying the defendant that the DNA record and sample do not qualify for expunction pursuant to subsection (f) of this section.

(g3) The defendant may file a motion with the court to review the denial of the defendant's request or the failure of either the district attorney or the SBI to act within the prescribed time period.

(h) Any identification, warrant, probable cause to arrest, or arrest based upon a database match of the defendant's DNA sample which occurs after the expiration of the statutory periods prescribed for expunction of the defendant's DNA sample, shall be invalid and inadmissible in the prosecution of the defendant for any criminal offense.

(i) Notwithstanding subsection (f) of this section, the SBI is not required to destroy or remove an item of physical evidence obtained from a sample if evidence relating to another person would thereby be destroyed.

(j) The SBI shall adopt procedures to comply with this section."

**SECTION 5.** G.S. 15A-266.4 reads as rewritten:

**"§ 15A-266.4. ~~Blood sample~~DNA sample required for DNA analysis upon conviction or finding of not guilty by reason of insanity.**

(a) Unless a DNA sample has previously been obtained by lawful process and a record stored in the State DNA database, Database, and that



~~sample has record and sample have not been expunged pursuant to G.S. 15A-148, on or after December 1, 2003, a person~~ any provision of law, a person:

- (1) ~~who~~ Who is convicted of any of the crimes listed in subsection (b) of this section or who is found not guilty of any of these crimes by reason of insanity and committed to a mental health facility in accordance with ~~G.S. 15A-1321~~ G.S. 15A-1321, shall ~~have~~ provide a DNA sample ~~drawn~~ upon intake to jail, prison, or the mental health facility. In addition, every person convicted ~~on or after December 1, 2003,~~ of any of these crimes, but who is not sentenced to a term of confinement, shall provide a DNA sample as a condition of the sentence.
  - (2) ~~A person who~~ Who has been convicted and incarcerated as a result of a conviction of one or more of ~~these crimes prior to December 1, 2003,~~ the crimes listed in subsection (b) of this section, or who was found not guilty of any of these crimes by reason of insanity and committed to a mental health facility in accordance with ~~G.S. 15A-1321 before December 1, 2003,~~ G.S. 15A-1321, shall ~~have~~ provide a DNA sample ~~drawn~~ before parole or release from the penal system or before release from the mental health facility.
- (b) Crimes covered by this Article include all of the following:
- (1) All felonies.
  - (2) G.S. 14-32.1 – Assaults on handicapped persons.
  - (3) ~~G.S. 14-277.3A~~ or former ~~Former~~ G.S. 14-277.3 – Stalking.
  - (4) ~~G.S. 14-27.5A~~ Sexual battery.
  - (5) All offenses described in G.S. 15A-266.3A."

**SECTION 6.** G.S. 15A-266.5 reads as rewritten:

**"§ 15A-266.5. Tests to be performed on ~~blood sample,~~ DNA sample.**

- (a) The tests to be performed on each ~~blood~~ DNA sample are:
  - (1) To analyze and type only the genetic markers that are used for identification purposes contained in or derived from the DNA.
  - (2) For law enforcement identification purposes.
  - (3) For research and administrative purposes, including:
    - a. Development of a population database when personal identifying information is removed.
    - b. To support identification research and protocol development of forensic DNA analysis methods.
    - c. For quality control purposes.
    - d. To assist in the recovery or identification of human remains from mass disasters or for other humanitarian purposes, including identification of missing persons.

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(b) The DNA record of identification characteristics resulting from the DNA testing shall be stored and maintained by the SBI in the State DNA Database. The DNA sample itself will be stored and maintained by the SBI in the State DNA Databank.

(c) The SBI shall report annually to the Joint Legislative Commission on Governmental Operations and to the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee, on or before February 1, with information for the previous calendar year, which shall include: a summary of the operations and expenditures relating to the DNA Database and DNA Databank; the number of DNA records from arrestees entered; the number of DNA records from arrestees that have been expunged; and the number of DNA arrestee matches or hits that occurred with an unknown sample, and how many of those have led to an arrest and conviction; and how many letters notifying defendants that a record and sample have been expunged, along with the number of days it took to complete the expunction and notification process, from the date of the receipt of the verification form from the State.

(d) The Department of Justice, in consultation with the Administrative Office of the Courts and the Conference of District Attorneys, shall study, develop, and recommend an automated procedure to facilitate the process of expunging DNA samples and records taken pursuant to G.S. 15A-266.3A, and shall report to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee, and the Courts Commission, on or before February 1, 2011."

**SECTION 7.** G.S. 15A-266.6 reads as rewritten:

**"§ 15A-266.6. Procedures for ~~withdrawal of blood sample for obtaining DNA analysis.~~ sample for analysis; refusal to provide sample.**

(a) Each DNA sample ~~required to be drawn~~ provided pursuant to G.S. 15A-266.4 from persons who are incarcerated shall be ~~drawn~~ obtained at the place of incarceration. DNA samples from persons who are not sentenced to a term of confinement shall be ~~drawn~~ obtained immediately following sentencing. The sentencing court shall order any person not sentenced to a term of ~~confinement~~ confinement, who has not previously provided a DNA sample pursuant to any provision of law requiring a sample and whose DNA record and sample have not been expunged pursuant to law, to report immediately following sentencing to the location designated by the sheriff. If the sample cannot be taken immediately, the sheriff shall inform the court of the date, time, and location at which the sample shall be taken, and the court shall enter that date, time, and location into its order. A copy of the court order indicating the date, time, and location the person is to appear to have a sample taken shall be given to the sheriff. If a person not sentenced to a term of confinement fails to appear immediately following sentencing or at the date, time, and location designated in the court order, the sheriff shall inform the court of the failure to appear and the court may issue an order to show cause pursuant to G.S. 5A-15 and may issue an order for arrest pursuant to G.S. 5A-16. The defendant shall continue to be subject to the court's order to provide a DNA sample until such time as his or her DNA sample is analyzed and a record is successfully entered into the State DNA Database.

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(b) If, for any reason, the defendant provides a DNA blood sample instead of a cheek swab, Only-only a correctional health nurse technician, physician, registered professional nurse, licensed practical nurse, laboratory technician, phlebotomist, or other health care worker with phlebotomy training shall draw any-the DNA blood sample to be submitted for analysis. No civil liability shall attach to any person authorized to draw blood by this section as a result of drawing blood from any person if the blood was drawn according to recognized medical procedures. No person shall be relieved from liability for negligence in the drawing of any obtaining a DNA sample.sample by any method.

(c) The SBI shall provide to the sheriff the materials and supplies the materials, supplies, and postage prepaid envelopes necessary to draw-obtain a DNA sample from a person not sentenced to a term of confinement,required to provide a DNA sample pursuant to this Article and to forward the DNA sample to the appropriate laboratory for DNA analysis and testing. Any DNA sample drawn from a person not sentenced to a term of confinement,obtained pursuant to this Article, other than a DNA sample obtained from a person who is incarcerated, shall be taken using the materials and supplies provided by the SBI."

**SECTION 8.** G.S. 15A-266.7 reads as rewritten:

**"§ 15A-266.7. Procedures for conducting DNA analysis of blood-DNA sample.**

~~The SBI shall adopt rules governing the procedures to be used in the submission, identification, analysis, and storage of DNA samples and typing results of DNA samples submitted under this Article. The DNA sample shall be securely stored in the State Databank. The typing results shall be securely stored in the State Database. These procedures shall also include quality assurance guidelines to insure that DNA identification records meet standards and audit standards for laboratories which submit DNA records to the State Database. Records of testing shall be retained on file at the SBI.~~

(a) The SBI shall:

- (1) Adopt procedures to be used in the collection, security, submission, identification, analysis, and storage of DNA samples and typing results of DNA samples submitted under this Article. These procedures shall also include quality assurance guidelines to insure that DNA identification records meet audit standards for laboratories which submit DNA records to the State DNA Database.
- (2) Adopt Quality Assurance Guidelines for DNA Testing Laboratories and DNA Databasing Laboratories that meet or exceed the quality assurance guidelines established for such laboratories by the CODIS unit of the Federal Bureau of Investigation.

(b) DNA samples shall be securely stored in the State DNA Databank. The typing results shall be securely stored in the State DNA Database.

(c) Records of testing shall be retained on file at the SBI."

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**SECTION 9.** G.S. 15A-266.8 reads as rewritten:

**"§ 15A-266.8. DNA database exchange.**

(a) It shall be the duty of the SBI to receive DNA samples, to store, to analyze or to contract out the DNA typing analysis to a qualified DNA laboratory that meets the guidelines as established by the SBI, classify, and file the DNA record of identification characteristic profiles of DNA samples submitted pursuant to ~~G.S. 15A-266.7~~ this Article and to make such information available as provided in this section. The SBI may contract out DNA typing analysis to a qualified DNA laboratory that meets guidelines as established by the SBI. The results of the DNA profile of individuals in the State Database shall be made available to local, State, or federal law enforcement agencies, approved crime laboratories which serve these agencies, or the district attorney's office upon written or electronic request and in furtherance of an official investigation of a criminal offense. These records shall also be available upon receipt of a valid court order directing the SBI to release these results to appropriate parties not listed above, when the court order is signed by a superior court judge after a hearing. The SBI shall maintain a file of such court orders.

(b) The SBI shall adopt rules governing the methods of obtaining information from the State Database and CODIS and procedures for verification of the identity and authority of the requester.

(c) The SBI shall create a separate population database comprised of ~~blood-DNA~~ samples obtained under this Article, after all personal identification is removed. Nothing shall prohibit the SBI from sharing or disseminating population databases with other law enforcement agencies, crime laboratories that serve them, or other third parties the SBI deems necessary to assist the SBI with statistical analysis of the SBI's population databases. The population database may be made available to and searched by other agencies participating in the CODIS system."

**SECTION 10.** G.S. 15A-266.11 reads as rewritten:

**"§ 15A-266.11. Unauthorized uses of DNA Databank; penalties.**

(a) Any person ~~who, by virtue of employment, or official position, who~~ has possession of, or access to, individually identifiable DNA information contained in the State DNA Database or Databank and who willfully discloses it in any manner to any person or agency not entitled to receive it is guilty of a ~~Class 1 misdemeanor in accordance with G.S. 14-3.~~ Class H felony.

(b) Any person who, without authorization, willfully obtains individually identifiable DNA information from the State DNA Database or Databank is guilty of a ~~Class 1 misdemeanor in accordance with G.S. 14-3.~~ Class H felony."

**SECTION 11.** G.S. 15A-266.12 reads as rewritten:

**"§ 15A-266.12. Confidentiality of records.**

(a) All DNA profiles and samples submitted to the SBI pursuant to this Article shall be treated as confidential and shall not be disclosed to or shared with any person or agency except as provided in G.S. 15A-266.8.

(b) Only DNA records and samples that directly relate to the identification of individuals shall be collected and stored. These records and

samples shall solely be used as a part of the criminal justice system for the purpose of facilitating the personal identification of the perpetrator of a criminal offense; provided that in appropriate circumstances such records may be used to identify potential victims of mass disasters or missing persons.

(c) DNA records and DNA samples submitted to the SBI pursuant to this Article are not a public record as defined by G.S. 132-1.

(d) In the case of a criminal proceeding, requests to access a person's DNA record shall be in accordance with the rules for criminal discovery as defined in G.S. 15A-902. The SBI shall not be required to provide the State DNA Database for criminal discovery purposes.

(e) DNA records and DNA samples submitted to the SBI may only be released for the following authorized purposes:

- (1) For law enforcement identification purposes, including the identification of human remains, to federal, State, or local criminal justice agencies.
- (2) For criminal defense and appeal purposes, to a defendant who shall have access to samples and analyses performed in connection with the case in which such defendant is charged or was convicted.
- (3) If personally identifiable information is removed to local, State, or federal law enforcement agencies for forensic validation studies, forensic protocol development or quality control purposes, and for establishment or maintenance of a population statistics database.

(f) In order to maintain the computer system security of the SBI DNA database program, the computer software and database structures used by the SBI to implement this Article are confidential."

**SECTION 12.** Article 23 of Chapter 15A of the General Statutes is amended by adding a new section to read:

**"§ 15A-502A. DNA sample upon arrest.**

A DNA sample shall be obtained from any person arrested for an offense designated under G.S. 15A-266.3A, in accordance with the provisions contained in Article 13 of Chapter 15A of the General Statutes."

**SECTION 12.1.** G.S. 15A-534(a) reads as rewritten:

"(a) In determining conditions of pretrial release a judicial official must impose at least one of the following conditions:

- (1) Release the defendant on his written promise to appear.
- (2) Release the defendant upon his execution of an unsecured appearance bond in an amount specified by the judicial official.
- (3) Place the defendant in the custody of a designated person or organization agreeing to supervise him.
- (4) Require the execution of an appearance bond in a specified amount secured by a cash deposit of the full amount of the bond, by a mortgage pursuant to G.S. 58-74-5, or by at least one solvent surety.

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(5) House arrest with electronic monitoring.

If condition (5) is imposed, the defendant must execute a secured appearance bond under subdivision (4) of this subsection. If condition (3) is imposed, however, the defendant may elect to execute an appearance bond under subdivision (4). If the defendant is required to provide fingerprints pursuant to G.S. 15A-502(a1) or (a2), or a DNA sample pursuant to G.S. 15A-266.3A or G.S. 15A-266.4, and (i) the fingerprints or DNA sample have not yet been taken or (ii) the defendant has refused to provide the fingerprints or DNA sample, the judicial official shall make the collection of the fingerprints or DNA sample a condition of pretrial release. The judicial official may also place restrictions on the travel, associations, conduct, or place of abode of the defendant as conditions of pretrial release."

**SECTION 13.** G.S. 7B-2201 reads as rewritten:

**"§ 7B-2201. Fingerprinting and DNA sample from juvenile transferred to superior court.**

(a) When jurisdiction over a juvenile is transferred to the superior court, the juvenile shall be fingerprinted and the juvenile's fingerprints shall be sent to the State Bureau of Investigation.

(b) When jurisdiction over a juvenile is transferred to the superior court, a DNA sample shall be taken from the juvenile if any of the offenses for which the juvenile is transferred are included in the provisions of G.S. 15A-266.3A."

**SECTION 14.** The provisions of this act are severable. If any provision is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the act that can be given effect without the invalid provision.

**SECTION 15.** This act becomes effective February 1, 2011.

The Conference Report is placed on the Calendar for Saturday, July 10, for adoption.

Upon motion of Senator Basnight, seconded by Senator Hoyle, the Senate adjourns at 11:52 P.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees, to meet Saturday, July 10, at 12:05 A.M.

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**ONE HUNDRED AND FORTY-EIGHTH DAY**

Senate Chamber  
Saturday, July 10, 2010

The Senate meets pursuant to adjournment and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

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

"Our Lord, the midnight hour has arrived. As we say goodbye to one day and await the dawning of another, as Senators and more importantly as people, may our works as your word conveys, be acceptable in your sight. Amen."

The Chair grants leaves of absence for today to Senator Boseman, Senator Clary, Senator Goodall, and Senator Jacumin.

Senator Basnight, President *Pro Tempore*, announces that the Journal of Friday, 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.

**CALENDAR**

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

**S.B. 1444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND TO AUTHORIZE THE CITY OF KANNAPOLIS TO DEANNEX PROPERTY FOR THE BENEFIT OF THE PUBLIC HEALTH AUTHORITY OF CABARRUS COUNTY, for concurrence in House Amendment No. 1 upon third reading.

Upon motion of Senator Hartsell, the Senate concurs in House Amendment No. 1 on its third reading, by roll-call vote, ayes 39, 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, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Goss, Graham, Hartsell, Hunt, Jenkins, Jones, Kinnaird, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stevens, Swindell, Tillman, Vaughan and Walters---39.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

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**S.B. 1171** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS; TO MODIFY ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT; AND TO MODIFY THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF COMMERCE MAY EXTEND THE BASE PERIOD FOR A JDIG GRANT, for concurrence in the House Committee Substitute bill upon third reading.

The House Committee Substitute bill passes its third 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, Blue, Brown, Brunstetter, Clodfelter, Dannelly, Davis, Dickson, Dorsett, East, Foriest, Forrester, Garrou, Goss, Graham, Hartsell, Hoyle, Hunt, Jenkins, Jones, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Snow, Soles, Stein, Stevens, Swindell, Tillman, Vaughan and Walters---43.

Voting in the negative: Senators Brock and Kinnaird---2.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

**H.B. 1403** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION, for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (44-1).

The Chair orders a message 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. 1765** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO

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PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER, 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 1765, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO LIMIT TRANSFERS OF WATER FROM THE CATAWBA RIVER BASIN UNDER THE CONCORD AND KANNAPOLIS INTERBASIN TRANSFER CERTIFICATE; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 7/6/10 Fifth Edition Engrossed 7/7/10, submit the following report:

The House and the Senate agree to the following amendment to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 7/6/10 Fifth Edition Engrossed 7/7/10, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 7/6/10 Fifth Edition Engrossed 7/7/10, and substitute the attached Proposed Conference Committee Substitute H1765-PCCS30555-SB-2.

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

Date Conferees approved report: July 10, 2010.

*Conferees for the Senate*  
S/Daniel G. Clodfelter, Chair  
S/Bob Atwater  
S/Joe Sam Queen

*Conferees for the House of Representatives*  
S/Pryor Gibson, Chair  
S/Pricey Harrison  
S/James W. Crawford, Jr.

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S/Harry Brown	S/Jeff Barnhart
S/Josh Stein	S/Frank Iler
S/Eleanor Kinnaird	S/Paul Stam
S/R. C. Soles, Jr.	Wm. C. "Bill" McGee

The text of the attached Proposed Conference Committee Substitute, H1765-PCCS30555-SB-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY CERTAIN CONDITIONS ON INTERBASIN TRANSFERS; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 77 of the General Statutes is amended by adding a new Article to read:

"Article 8A.

"Falls Lake Watershed Association.

**"§ 77-119. Definitions.**

The following definitions apply in this Article:

- (1) "Board of directors" has the same meaning as in G.S. 55A-1-40.
- (2) "Falls Lake watershed" means those natural areas of drainage including all tributaries contributing to the supply of Falls Lake, the specific limits of which are designated by the Environmental Management Commission pursuant to G.S. 143-213.
- (3) "Local government" means a county, city, town, or incorporated village that is located in whole or in part within the Falls Lake watershed. Local government also includes any water or sewer authority that is created pursuant to Article 1 of Chapter 162A of the General Statutes that provides service within the Falls Lake watershed.
- (4) "Nonprofit corporation" has the same meaning as in G.S. 55A-1-40.

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**"§ 77-120. Falls Lake Watershed Association criteria for creation; board of directors; purpose; meetings; and records.**

(a) Local governments may elect to incorporate the Falls Lake Watershed Association nonprofit corporation or establish the Association using an existing nonprofit corporation. The Association shall only be comprised of local governments that choose to participate in the Association.

(b) Each local government that elects to participate in the Association shall appoint a representative and an alternate representative to serve on the board of directors of the Association. The first board of directors that is appointed to the Association shall adopt bylaws that govern the operation of the Association.

(c) The purposes of the Association may include, but are not limited to:

- (1) Providing a forum for sharing information in order to assist local governments in complying with State and federal laws that pertain to the water quality in the Falls Lake watershed.
- (2) Providing a mechanism for participating local governments to coordinate and fund common technical resources.
- (3) Planning for and conducting water quality monitoring in the Falls Lake watershed in coordination with the Department of Environment and Natural Resources.
- (4) Coordinating with the Department of Environment and Natural Resources in the development of a transparent and accessible system for recording and maintaining nutrient offsets and credits that complies with any rules adopted to protect and restore water quality in the Falls Lake watershed.
- (5) Providing a public forum to review and discuss innovative approaches to restore, protect, and maintain water quality in the Falls Lake watershed.
- (6) Conducting and evaluating scientific research that describes or predicts conditions related to or affecting water quality in the Falls Lake watershed, including the reservoir.

(d) The Association shall be subject to the requirements for meetings of public bodies pursuant to Article 33C of Chapter 143 of the General Statutes.

(e) The Association shall be subject to the requirements for public records pursuant to Chapter 132 of the General Statutes.

**"§ 77-121. Memoranda of understanding.**

To the extent allowed by law, the Department of Environment and Natural Resources may enter into memoranda of understanding with the Association to implement the purposes in G.S. 77-120(c).

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**"§ 77-122. Authority.**

The authority granted pursuant to this Article is in addition to and not in derogation of any other authority granted to local governments under any other provision of law."

**SECTION 2.** G.S. 143-215.22L(e) reads as rewritten:

"(e) Public Hearing on the Draft Environmental Document. – The Commission shall hold a public hearing on the draft environmental document for a proposed interbasin transfer after giving at least 30 days' written notice of the hearing in the Environmental Bulletin and as provided in subdivisions (2) and (3) of subsection (c) of this section. The notice shall indicate where a copy of the environmental document can be reviewed and the procedure to be followed by anyone wishing to submit written comments and questions on the environmental document. The Commission shall prepare a record of all comments and written responses to questions posed in writing. The record shall include complete copies of scientific or technical comments related to the potential impact of the interbasin transfer. The Commission shall accept written comment on the draft environmental ~~documents~~ document for a minimum of 30 days following the last public hearing. The applicant who petitions the Commission for a certificate under this section shall pay the costs associated with the notice and public hearing on the draft environmental document."

**SECTION 3.** G.S. 143-215.22L(j) reads as rewritten:

"(j) Public Hearing on the Draft Determination. – Within 60 days of the issuance of the draft determination as provided in subsection (i) of this section, the Commission shall hold public hearings on the draft determination. At least one hearing shall be held in the affected area of the source river basin, and at least one hearing shall be held in the affected area of the receiving river basin. In determining whether more than one public hearing should be held within either the source or receiving river basins, the Commission shall consider the differing or conflicting interests that may exist within the river basins, including the interests of both upstream and downstream parties potentially affected by the proposed transfer. The public hearings shall be conducted by one or more hearing officers appointed by the Chair of the Commission. The hearing officers may be members of the Commission or employees of the Department. The Commission shall give at least 30 days' written notice of the public hearing as provided in subsection (c) of this section. The Commission shall accept written comment on the draft determination for a minimum of 30 days following the last public hearing. The Commission shall prepare a record of all comments and written responses to questions posed in writing. The record shall include complete copies of scientific or technical comments related to the potential impact of the interbasin transfer. The applicant who petitions the Commission for a certificate under this section shall pay the costs associated with the notice and public hearing on the draft determination."

**SECTION 4.** Section 7 of S.L. 2007-518 reads as rewritten:

"**SECTION 7.(a)** Except as provided in ~~subsection (b)~~ subsections (b), (c) and (d) of this section, this act becomes effective when it becomes law and applies to any petition for a certificate for a transfer of surface water from one river basin to another river basin first made on or after that date.

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"**SECTION 7.(b)** For a petition for a certificate for transfer of surface water from one river basin to another river basin to supplement ground water supplies in the fifteen counties designated as the Central Coastal Plain Capacity Use Area under 15A NCAC 2E .0501, this act becomes effective 1 January ~~2011~~2013. Prior to 1 January ~~2011~~2013, a petition for a certificate for transfer of surface water from one river basin to another river basin to supplement ground water supplies in the fifteen counties designated as the Central Coastal Plain Capacity Use Area shall be considered and acted upon by the Environmental Management Commission pursuant to the procedures and standards set out in G.S. 143-215.22I on 1 July 2007.

"**SECTION 7.(c)** For purposes of this subsection, "isolated river basin" means each of the following river basins set out in G.S. 143-215.22G(1):

<u>g.</u>	<u>2-6</u>	<u>New River.</u>
<u>v.</u>	<u>9-4</u>	<u>Shallotte River.</u>
<u>aa.</u>	<u>12-1</u>	<u>Albemarle Sound.</u>
<u>hh.</u>	<u>17-1</u>	<u>White Oak River.</u>

For a petition for a certificate for transfer of surface water from a river basin to an isolated river basin, this act becomes effective 1 July 2020. Prior to 1 July 2020, a petition for a certificate for transfer of surface water from a river basin to an isolated river basin shall be considered and acted upon by the Environmental Management Commission pursuant to the procedures and standards set out in G.S. 143-215.22I on 1 July 2007.

"**SECTION 7.(d)** Notwithstanding subsection (c) of this section, an applicant for a certificate for transfer of surface water from a river basin to an isolated river basin may request that the applicant be subject to the certification process that would apply if the transfer was not into an isolated river basin."

**SECTION 5.** The Environmental Review Commission may study the transfer of surface water from one river basin to another. If the Commission undertakes this study, the Commission shall specifically consider whether certificates for interbasin transfers should contain conditions that require a receiving river basin to first withdraw and transfer surface water from within its major river basin before it may withdraw and transfer surface water from another river basin. The Commission shall report the results and recommendations of this study, if any, to the 2011 General Assembly.

**SECTION 6.** G.S. 143-355.5(a) reads as rewritten:

"(a) Water Reuse Policy. – It is the public policy of the State that the reuse of treated wastewater or reclaimed water is critical to meeting the existing and future water supply needs of the State. The General Assembly finds that reclaimed water systems permitted and operated under G.S. 143-215.1(d2) in an approved wastewater reuse program can provide water for many beneficial purposes in a way that is both environmentally acceptable and protective of public health. This finding includes and applies to conjunctive facilities that require the relocation of a discharge from one receiving stream to another under all of the following conditions:

- (1) The relocation is necessary to create an approved comprehensive wastewater reuse program.

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- (2) The reuse program provides significant reuse benefits.
- (3) The relocated discharge will comply with all applicable water quality standards; will not result in degradation of water quality in the receiving waters; will not contribute to water quality impairment in the receiving watershed; and will result in net benefits to water quality, such as the elimination of a wastewater discharge in a nutrient sensitive river basin."

**SECTION 7.** This act is effective when it becomes law. Sections 2 and 3 apply to the costs, including costs of notice, associated with public hearings held on or after that date.

Upon motion of Senator Clodfelter, the rules are suspended and the Conference Report, which changes the title, is placed on the Calendar for immediate consideration.

Upon motion of Senator Clodfelter, 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.

The Senate recesses at 12:38 A.M. to reconvene at 1:00 A.M. subject to ratification of bills, receipt of messages from the House of Representatives, conference reports, committee reports and appointment of conferees.

### RECESS

The Senate meets pursuant to recess and is called to order by The Honorable Walter Dalton, Lieutenant Governor.

### CONFERENCE REPORT

Senator Hoyle, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 530** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE, 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 530, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCENTIVE FOR INVESTING IN CAPITAL FACILITIES IN THE LIFE SCIENCES IN THIS STATE, Senate Finance Committee Substitute Adopted 8/7/09, submit the following report:

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The House and Senate agree to the following amendment to the Senate Finance Committee Substitute Adopted 8/7/09, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute that attached proposed Conference Committee Substitute H530-PCCS70587-LAf-2.

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

Date Conferees approved report: July 10, 2010.

*Conferees for the Senate*

S/David W. Hoyle, Chair

S/Clark Jenkins

S/Daniel G. Clodfelter

Richard Stevens

S/Michael P. Walters

S/Dan Blue

*Conferees for the House of Representatives*

S/Pryor Gibson, Chair

S/Hugh Holliman

S/William L. Wainwright

Earl Jones

S/Paul Luebke

S/Larry D. Hall

Johnathan Rhyne, Jr.

Wm. C. "Bill" McGee

The text of the attached Proposed Conference Committee Substitute, H530-PCCS70587 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR ACTIVE AND RETIRED FEDERAL EMPLOYEES, ADOPTION WORKS, AMERICAN RED CROSS, ARMED FORCES EXPEDITIONARY MEDAL RECIPIENT, ARTS NC, BATTLE OF KINGS MOUNTAIN, BLUE KNIGHTS, BOY SCOUTS OF AMERICA, BRENNER CHILDREN'S HOSPITAL, CAROLINA RAPTOR CENTER, CAROLINA REGIONAL VOLLEYBALL ASSOCIATION, CAROLINA CREDIT UNION FOUNDATION, CAROLINAS GOLF ASSOCIATION, CHILDHOOD CANCER AWARENESS, CURESEARCH, DANIEL STOWE BOTANICAL GARDEN, DONATE LIFE, FARMLAND PRESERVATION, FIRST IN TURF, FRIENDS OF CAMP DANIEL BOONE, GIRL SCOUTS, GREEN INDUSTRY COUNCIL, HIGH POINT FURNITURE MARKET 100<sup>TH</sup> ANNIVERSARY, HOME OF AMERICAN GOLF, JAYCEES, LEGION OF MERIT, LIFETIME SPORTSMAN, MAYOR, MOUNTAINS-TO-SEA TRAIL, MUNICIPAL COUNCIL, NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL, NATIVE BROOK TROUT, NC BEEKEEPERS, NC CIVIL WAR, NC FISHERIES ASSOCIATION, NC HORSE COUNCIL, NC MINING, NC VETERINARY MEDICAL ASSOCIATION, NC WILDLIFE FEDERATION, NEUSE RIVER FOUNDATION, NORTH CAROLINA EMERGENCY MANAGEMENT ASSOCIATION, NORTH

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CAROLINA MASTER GARDENER, NORTH CAROLINA SENIOR GAMES, NORTH CAROLINA STATE FLAG, "OLD BALDY," OUTER BANKS PRESERVATION ASSOCIATION, PAMLICO-TAR RIVER FOUNDATION, P.E.O. SISTERHOOD, PHI BETA SIGMA FRATERNITY, RELAY FOR LIFE, RETIRED PIEDMONT AIRLINES EMPLOYEES, RETIRED LEGISLATORS, SCHOOL BOARD, SILVER STAR RECIPIENT/DISABLED VETERAN, SOCIAL WORKERS, S.T.A.R., SUPPORT NC EDUCATION, SUPPORT SOCCER, TOWN OF OAK ISLAND, TRAVEL AND TOURISM, UNITED STATES SERVICE ACADEMY, AND VICTORY JUNCTION GANG CAMP; MAKE CHANGES TO VARIOUS EXISTING PLATES, AND ESTABLISH AN EXPIRATION PERIOD FOR INACTIVE PLATES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-63(b) reads as rewritten:

"(b) Every license plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of the State of North Carolina, which may be abbreviated, and the year number for which it is issued or the date of expiration. A plate issued for a commercial vehicle, as defined in G.S. 20-4.2(1), and weighing 26,001 pounds or more, must bear the word "commercial," unless the plate is a special registration plate authorized in G.S. 20-79.4 or the commercial vehicle is a trailer or is licensed for 6,000 pounds or less. The plate issued for vehicles licensed for 7,000 pounds through 26,000 pounds must bear the word "weighted".

Except as otherwise provided in this subsection, a registration plate issued by the Division for a private passenger vehicle or for a private hauler vehicle licensed for 6,000 pounds or less shall be a "First in Flight" plate. A "First in Flight" plate shall have the words "First in Flight" printed at the top of the plate above all other letters and numerals. The background of the plate shall depict the Wright Brothers biplane flying over Kitty Hawk Beach, with the plane flying slightly upward and to the right. The following special registration plates do not have to be a "First in Flight" plate. The design of the plates that are not "First in Flight" plates must be approved by the Division and the State Highway Patrol for clarity and ease of identification.

- (1) Friends of the Great Smoky Mountains National Park.
- (2) Rocky Mountain Elk Foundation.
- (3) Blue Ridge Parkway Foundation.
- (4) ~~Friends of the Appalachian Trail~~ Appalachian Trail Conservancy.
- (5) NC Coastal Federation.
- (6) In God We Trust.
- (7) Stock Car Racing Theme.
- (8) Buddy Pelletier Surfing Foundation.
- (9) Guilford Battleground Company.
- (10) National Wild Turkey Federation.
- (11) North Carolina Aquarium Society.
- (12) First in Forestry.

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- (13) North Carolina Wildlife Habitat Foundation.
- (14) NC Trout Unlimited.
- (15) Ducks Unlimited.
- (16) Lung Cancer Research.
- (17) NC State Parks.
- (18) Support Our Troops.
- (19) US Equine Rescue League.
- (20) Fox Hunting.
- (21) Back Country Horsemen of North Carolina.
- (22) Hospice Care.
- (23) Home Care and Hospice.
- (24) NC Tennis Foundation.
- (25) AIDS Awareness.
- (26) Friends of Camp Daniel Boone.
- (27) Mountains-to-Sea Trail.
- (28) Native Brook Trout.
- (29) ARTS NC.
- (30) NC Mining.
- (31) North Carolina State Flag.
- (32) NC Beekeepers.
- (33) CureSearch.
- (34) NC Civil War.
- (35) Donate Life.
- (36) Battle of Kings Mountain.
- (37) Adoption Works.
- (38) United States Service Academy.
- (39) Social Workers.
- (40) Faerland Preservation.
- (41) Green Industry Council.
- (42) NC Veterinary Medical Association.
- (43) Carolinas Credit Union Foundation.
- (44) Carolina Raptor Center.
- (45) North Carolina Zoological Society."

**SECTION 2.** G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

- (1) 82nd Airborne Division Association Member. – Issuable to a member of the 82nd Airborne Division Association, Inc. The plate shall bear the insignia of the 82nd Airborne Division Association, Inc. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (1a) Active and Retired Federal Employees. – Issuable to a member of the National Active and Retired Federal Employees Association, Inc., in accordance with G.S. 20-81.12. The plate shall bear the insignia of the National Active and Retired Federal Employees Association, Inc.

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- (2) Administrative Officer of the Courts. – Issuable to the Director of the Administrative Office of the Courts. The plate shall bear the phrase "J-20".
- (2a) Adoption Works. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Adoption Works" and a logo provided by the Children's Home Society of North Carolina.
- (3) AIDS Awareness. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Find a Cure" beside the logo of a red ribbon on the left side of the plate.
- (4) Air Medal Recipient. – Issuable to the recipient of the Air Medal. The plate shall bear the emblem of the Air Medal and the words "Air Medal".
- (5) Alpha Kappa Alpha Sorority. – Issuable to the registered owner of a motor vehicle. The plate shall bear the sorority's symbol and name. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (6) Alpha Phi Alpha Fraternity. – Issuable to a member or supporter of the Alpha Phi Alpha Fraternity in accordance with G.S. 20-81.12. The plate shall bear the fraternity's symbol and name.
- (7) ALS Research. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Nothing Less, Cure ALS" and the logo of the nonprofit group the ALS Association, Jim "Catfish" Hunter Chapter.
- (8) Alternative Fuel Vehicles. – Issuable to the registered owner of an alternative fuel vehicle. The plate shall bear the words "Alternative Fuel Vehicle". The Division must receive 300 or more applications for the plate before it may be developed.
- (9) Amateur Radio Operator. – Issuable to an amateur radio operator who holds an unexpired and unrevoked amateur radio license issued by the Federal Communications Commission and who asserts to the Division that a portable transceiver is carried in the vehicle. The plate shall bear the phrase "Amateur Radio". The plate shall bear the operator's official amateur radio call letters, or call letters with numerical or letter suffixes so that an owner of more than one vehicle may have the call letters on each.

- (10) American Legion. – Issuable to a member of the American Legion. The plate shall bear the words "American Legion" and the emblem of the American Legion. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (11) Animal Lovers. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a picture of a dog and cat and the phrase "I Care."
- (11a) American Red Cross. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "American Red Cross Saving Lives" and a red cross.
- (12) ARC of North Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the logo of The ARC of North Carolina, Inc., and the phrase "The ARC".
- (12a) Armed Forces Expeditionary Medal Recipient. – Issuable to a recipient of the Armed Forces Expeditionary Medal. The plate shall bear the phrase "Armed Forces Expeditionary Medal" and a representation of the Armed Forces Expeditionary Medal. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (12a) ARTS NC. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "The Creative State" with a logo designed by ARTS North Carolina, Inc.
- (13) Audubon North Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the National Audubon Society, Inc., logo and a representation of a bird native to North Carolina.
- (14) Autism Society of North Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Autism Society of North Carolina", the phrase "Providing Support, Promoting Opportunities", and the logo of the Autism Society.
- (15) Aviation Maintenance Technician. – Issuable to a person who is a Federal Aviation Authority certified Aviation Maintenance Technician. The plate shall bear the logo of the F.A.A. Airworthiness Program and the initials "A.M.T." The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

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- (16) Back Country Horsemen of North Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a picture of a horseman trail riding and bear the phrase "Back Country Horsemen of NC."
- (16a) Battle of Kings Mountain. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Battle of Kings Mountain" with a representation of Kings Mountain on it.
- (17) Be Active NC. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Be Active NC" and a representation of the "Be Active NC" logo.
- (17a) Blue Knights. – Issuable to a member of the Blue Knights International Law Enforcement Officers Motorcycle Club, Inc. The plate shall bear the emblem of the Blue Knights International Law Enforcement Officers Motorcycle Club, Inc. The Division must receive 300 or more applications for the plate before this plate may be developed.
- (17b) Boy Scouts of America. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Boy Scouts of America" and an emblem representing the Boy Scouts of America.
- (18) Brain Injury Awareness. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Brain Injury Awareness" and the logo of the nonprofit group Brain Injury Association of North Carolina, Inc.
- (19) Breast Cancer Awareness. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Early Detection Saves Lives" and a representation of a pink ribbon. The Division must receive 300 or more applications for the plate before it may be developed.
- (20) Breast Cancer Earlier Detection. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Friends for An Earlier Breast Cancer Test."
- (20a) Brenner Children's Hospital. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the emblem of Wake Forest University Baptist Medical Center's Brenner Children's Hospital.
- (21) Bronze Star Combat Recipient. – Issuable to a recipient of the Bronze Star Medal for valor in combat. The plate shall bear the emblem of the Bronze Star with a "Combat V"

- emblem and the words "Bronze Star." To be eligible for this plate, the applicant must provide documentation that the medal was issued for valor in combat.
- (22) Bronze Star Recipient. – Issuable to a recipient of the Bronze Star. The plate shall bear the emblem of the Bronze Star and the words "Bronze Star".
- (23) Buddy Pelletier Surfing Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Buddy Pelletier Surfing Foundation" and bear the logo of the Foundation.
- (24) Buffalo Soldiers. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "The Buffalo Soldiers" and the logo of the 9th & 10th (Horse) Cavalry Association of the Buffalo Soldiers Greater North Carolina Chapter (BSGNCC).
- (24a) Carolina Raptor Center. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Imagination in Flight" and the emblem of the Carolina Raptor Center.
- (24b) Carolina Regional Volleyball Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-82.12. The plate shall bear a phrase and logo selected by the Association.
- (25) Carolina's Aviation Museum. – ~~This plate is issuable~~ Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Carolina's Aviation Museum" and a logo provided by the museum.
- (25a) Carolinas Credit Union Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Carolinas Credit Union Foundation" with an emblem of the Carolinas Credit Union Foundation, Inc.
- (25b) Carolinas Golf Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Carolinas Golf Association" and an emblem of the Carolinas Golf Association.
- (26) Celebrate Adoption. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Celebrate Adoption" and a representation of a white ribbon with a red heart on it. The Division must receive 300 or more applications for the plate before it may be developed.

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- (26a) Childhood Cancer Awareness. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Childhood Cancer Hurts" beside the logo of a gold ribbon on the left side of the plate. The Division must receive 300 or more applications for the plate before it may be developed.
- (27) Civic Club. – Issuable to a member of a nationally recognized civic organization whose member clubs in the State are exempt from State corporate income tax under G.S. 105-130.11(a)(5). Examples of these clubs include Jaycees, Kiwanis, Optimist, Rotary, Ruritan, and Shrine. The plate shall bear a word or phrase identifying the civic club and the emblem of the civic club. The Division may not issue a civic club plate authorized by this subdivision unless it receives at least 300 applications for that civic club plate.
- (28) Civil Air Patrol Member. – Issuable to an active member of the North Carolina Wing of the Civil Air Patrol. The plate shall bear the phrase "Civil Air Patrol". A plate issued to an officer member shall begin with the number "201" and the number shall reflect the seniority of the member; a plate issued to an enlisted member, a senior member, or a cadet member shall begin with the number "501".
- (29) Class D Citizen's Radio Station Operator. – Issuable to a Class D citizen's radio station operator. For an operator who has been issued Class D citizen's radio station call letters by the Federal Communications Commission, the plate shall bear the operator's official Class D citizen's radio station call letters. For an operator who has not been issued Class D citizen's radio station call letters by the Federal Communications Commission, the plate shall bear the phrase "Citizen's Band Radio".
- (30) Clerk of Superior Court. – Issuable to a current or retired clerk of superior court. A plate issued to a current clerk shall bear the phrase "Clerk Superior Court" and the letter "C" followed by a number that indicates the county the clerk serves. A plate issued to a retired clerk shall bear the phrase "Clerk Superior Court, Retired", the letter "C" followed by a number that indicates the county the clerk served, and the letter "X" indicating the clerk's retired status.
- (31) Coast Guard Auxiliary Member. – Issuable to an active member of the United States Coast Guard Auxiliary. The plate shall bear the phrase "Coast Guard Auxiliary".

- (32) Coastal Conservation Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the logo and name of the Coastal Conservation Association.
- (33) Cold War Veteran. – Issuable to a veteran of the armed services of the United States who served during the Cold War era, September 2, 1945, through December 26, 1991, and who was separated from the armed services under honorable conditions. The plate shall bear the words "Cold War Veteran" and an insignia representing the Cold War era. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (34) Collegiate Insignia Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing a public or private college or university.
- (35) ~~Combat Infantry Action Badge or Ribbon Recipient.~~ – Issuable to a recipient of the ~~Combat Infantry Badge Action Badge or Ribbon.~~ The plate shall bear the a word or phrase "Combat Infantry Badge" identifying the combat badge or ribbon being issued and a representation of the ~~Combat Infantry Badge.~~ combat action badge or ribbon awarded. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 combined applications for all versions of the plate. This plate shall include, but is not limited to, the following combat action badges and ribbons:
- a. Air Force Combat Action Medal Recipient.
  - b. Combat Action Badge Recipient.
  - c. Combat Action Ribbon Recipient.
  - d. Combat Infantry Badge Recipient.
  - e. Combat Medical Badge Recipient.
- (36) Combat Veteran. – Issuable to a veteran of the Armed Forces who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the Armed Forces under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A "period of war" is any of the following:
- a. World War I, which began April 16, 1917, and ended November 11, 1918.
  - b. World War II, which began December 7, 1941, and ended December 31, 1946.

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- c. The Korean Conflict, which began June 27, 1950, and ended January 31, 1955.
  - d. The Vietnam Era, which began August 5, 1964, and ended May 7, 1975.
  - e. The Persian Gulf War.
  - f. Any other campaign, expedition, or engagement for which the United States Department of Defense authorizes a campaign badge or medal.
- (37) Commercial Fishing. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase and picture appropriate to the subject of commercial fishing in North Carolina. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (38) Corvette Club. – Issuable to the registered owner of a motor vehicle. The plate shall bear the flags logo of the Chevrolet Corvette. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (39) County Commissioner. – Issuable to a county commissioner of a county in this State. The plate shall bear the words "County Commissioner" followed first by a number representing the commissioner's county and then by a letter or number that distinguishes plates issued to county commissioners of the same county. The number of a county shall be the order of the county in an alphabetical list of counties that assigns number one to the first county in the list and a letter or number to distinguish different cars owned by the county commissioners in that county. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (40) Crystal Coast. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Crystal Coast Artificial Reef Association" and a representation of a SCUBA diving flag.
- (40a) CureSearch. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "CureSearch" with a logo designed by the National Childhood Cancer Foundation.
- (40a) Daniel Stowe Botanical Garden. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Daniel Stowe Botanical Garden" with a logo designed by the Daniel Stowe Botanical Garden Foundation, Inc.



- (41) Daughters of the American Revolution. – Issuable to the registered owner of a motor vehicle. The plate may bear a phrase and picture appropriate to the organization. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (42) Delta Sigma Theta Sorority. – Issuable to the registered owner of a motor vehicle. The plate shall bear the sorority's name and symbol. The Division must receive 300 or more applications for the plate before it may be developed.
- (43) Disabled Veteran. – Issuable to a veteran of the Armed Forces of the United States who suffered a 100% service-connected disability.
- (44) Distinguished Flying Cross. – Issuable to a recipient of the Distinguished Flying Cross. The plate shall bear the emblem of the Distinguished Flying Cross and the words "Distinguished Flying Cross".
- (45) District Attorney. – Issuable to a North Carolina or United States District Attorney. The plate issuable to a North Carolina district attorney shall bear the letters "DA" followed by a number that represents the prosecutorial district the district attorney serves. The plate for a United States attorney shall bear the phrase "U.S. Attorney" followed by a number that represents the district the attorney serves, with 1 being the Eastern District, 2 being the Middle District, and 3 being the Western District.
- (45a) Donate Life. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Donate Life" with a logo designed by Donate Life North Carolina.
- (46) Ducks Unlimited. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the logo of Ducks Unlimited, Inc., and shall bear the words: "Ducks Unlimited".
- (47) E-911 Telecommunicator. – Issuable to an active E-911 Telecommunicator. An active E-911 Telecommunicator is an individual employed by a public safety agency whose primary responsibility is to receive, process, transmit, or dispatch emergency and nonemergency calls for police, fire, emergency medical, and other public safety services via telephone and other communication devices. The plate shall bear the phrase "E-911 Telecommunicator." The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

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- (48) Eagle Scout. – Issuable to a young man who has been certified as an Eagle Scout by the Boy Scouts of America, or to his parents or guardians. The plate shall bear the insignia of the Boy Scouts of America and shall bear the words "Eagle Scout". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (49) El Pueblo. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-18.12. The plate shall bear the El Pueblo logo and the words "El Pueblo". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (50) Emergency Medical Technician. – Issuable to an emergency medical technician, as defined in G.S. 131E-155. The plate shall bear the Star of Life logo and the letters "EMT". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (50a) Farmland Preservation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a phrase and picture provided by the Department of Agriculture and Consumer Services appropriate to the subject of farmland preservation.
- (51) Fire Department or Rescue Squad Member. – Issuable to an active regular member or volunteer member of a fire department, rescue squad, or both a fire department and rescue squad. The plate shall bear the words "Firefighter", "Rescue Squad", or "Firefighter-Rescue Squad".
- (52) First in Forestry. – Issuable to the registered owner of a motor vehicle. The plate shall bear the words "First in Forestry". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (52a) First in Turf. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "First in Turf."
- (53) Fox Hunting. – Issuable to the registered owner of a motor vehicle. The plate may bear a phrase and a picture representing fox hunting. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (54) Fraternal Order of Police. – The plate authorized by this subdivision shall bear a representation of the Fraternal Order of Police emblem containing the letters "FOP". The

Division must receive 300 applications for the plate before it may be developed. The plate is issuable to one of the following:

- a. A person who presents proof of active membership in the State Lodge, Fraternal Order of Police for the year in which the license plate is sought.
  - b. The surviving spouse of a person who was a member of the State Lodge, Fraternal Order of Police, so long as the surviving spouse continues to renew the plate and does not remarry.
- (54a) Friends of Camp Daniel Boone. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Friends of Camp Daniel Boone" and a logo provided by the Daniel Boone Council of the Boy Scouts of America.
- (55) Future Farmers of America. – Issuable to a member or a supporter of the National Future Farmers of America Organization. The plate shall bear the emblem of the organization and the letters "FFA". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (56) Girl Scout Gold Award recipient. – Issuable to a young woman who has been certified as a Girl Scout Gold Award recipient by the Girl Scouts of the U.S.A., or to her parents or guardians. The plate shall bear the insignia of the Girl Scouts of the U.S.A. and shall bear the words "Girl Scout Gold Award". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (56a) Girl Scouts. – Issuable to the owner of a registered vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Girl Scouts" with an emblem representing the Girl Scouts of the U.S.A.
- (57) Gold Star Lapel Button. – Issuable to the recipient of the Gold Star lapel button. The plate shall bear the emblem of the Gold Star lapel button and the words "Gold Star".
- (58) Goodness Grows. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the "Goodness Grows in North Carolina" logo and the phrase "Agriculture: NC's #1 Industry".
- (58a) Green Industry Council. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the letters "GIC" with a logo designed by the Green Industry Council.

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- (59) Greyhound Friends of North Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Greyhound Friends of North Carolina" and a picture of a greyhound.
- (60) Guilford Battleground Company. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Revolutionary" used by the Guilford Battleground Company and an image that depicts General Nathaniel Greene.
- (61) Harley Owners' Group. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall be designed in consultation with and approved by the Harley-Davidson Motor Company, Inc., and shall bear the words and trademark of the "Harley Owners' Group".
- (61a) High Point Furniture Market 100<sup>th</sup> Anniversary. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "High Point Furniture Market 100<sup>th</sup> Anniversary" and the emblem of the High Point Market. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (62) High School Insignia Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing a public high school in North Carolina.
- (63) Historic Vehicle Owner. – Issuable for a motor vehicle that is at least 35 years old measured from the date of manufacture. The plate for an historic vehicle shall bear the word "Antique" unless the vehicle is a model year 1943 or older. The plate for a vehicle that is a model year 1943 or older shall bear the word "Antique" or the words "Horseless Carriage", at the option of the vehicle owner.
- (64) Historical Attraction Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing a publicly owned or nonprofit historical attraction located in North Carolina.
- (65) Home Care and Hospice. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Home Care and Hospice" and the letters "HH" on the right side of the plate.

- (65a) Home of American Golf. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Home of American Golf" and include the Pinehurst logo and a representation relating to golf.
- (66) HOMES4NC Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear "HOMES4NC", the logo of the North Carolina Association of Realtors Housing Opportunity Foundation, and shall be developed in conjunction with that organization. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (67) Honorary Plate. – Issuable to a member of the Honorary Consular Corps, who has been certified by the U. S. State Department, the plate shall bear the words "Honorary Consular Corps" and a distinguishing number based on the order of issuance.
- (68) Hospice Care. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Hospice Care" and the letters "HC" on the right side of the plate.
- (69) In God We Trust. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "In God We Trust."
- (70) International Association of Fire Fighters. – The plate authorized by this subdivision shall bear the logo of the International Association of Fire Fighters. The Division may not issue the plate unless it receives at least 300 applications for the plate. The plate is issuable to one of the following:
- a. A person who presents proof of active membership in the International Association of Fire Fighters for the year in which the license plate is sought.
  - b. The surviving spouse of a person who was a member of the International Association of Fire Fighters, so long as the surviving spouse continues to renew the plate and does not remarry.
- (70a) Jaycees. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Jaycees" and a logo designed by the North Carolina Jaycees.
- (71) Judge or Justice. – Issuable to a sitting or retired judge or justice in accordance with G.S. 20-79.6.

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- (72) Juvenile Diabetes Research Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Juvenile Diabetes Research" and the "sneaker" logo of the nonprofit group Juvenile Diabetes Research Foundation International, Inc.
- (73) Kappa Alpha Psi Fraternity. – Issuable to the registered owner of a motor vehicle. The plate shall bear the fraternity's symbol and name. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (74) Kids First. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear the phrase "Kids First" and a logo of children's hands.
- (74a) Legion of Merit. – Issuable to a recipient of the Legion of Merit award. The plate shall bear the emblem and name of the Legion of Merit decoration.
- (75) Legion of Valor. – Issuable to a recipient of one of the following military decorations: the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross. The plate shall bear the emblem and name of the recipient's decoration.
- (76) Legislator. – Issuable to a member of the North Carolina General Assembly. The plate shall bear "The Great Seal of the State of North Carolina" and, as appropriate, the word "Senate" or "House" followed by the Senator's or Representative's assigned seat number.
- (77) Leukemia & Lymphoma Society. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase and logo provided by The Leukemia & Lymphoma Society that reflects "TEAM IN TRAINING".
- (77a) Lifetime Sportsman. – Issuable to the registered owner of a motor vehicle. The plate shall bear a picture representing the North Carolina Wildlife Resources Commission's emblem for a "Lifetime Sportsman." The Division must receive 300 or more applications for a Lifetime Sportsman plate before the plate may be developed.
- (78) Litter Prevention. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase and picture appropriate to the subject of litter prevention in North Carolina.
- (79) Lung Cancer Research. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The

plate shall bear the phrase "Lung Cancer Research" and a representation of the American Lung Association's Red Cross.

- (80) Maggie Valley Trout Festival. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the Trout Festival logo.
- (81) Magistrate. – Issuable to a current or retired North Carolina magistrate. A plate issued to a current magistrate shall bear the letters "MJ" followed by a number indicating the district court district the magistrate serves, then by a hyphen, and then by a number indicating the seniority of the magistrate. The Division shall use the number "9" to designate District Court Districts 9 and 9B. A plate issued to a retired magistrate shall bear the phrase "Magistrate, Retired", the letters "MJX " followed by a hyphen and the number that indicates the district court district the magistrate served, followed by a letter based on the order of issuance of the plates.
- (82) March of Dimes. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing the March of Dimes Foundation.
- (83) Marine Corps League. – Issuable to a member of the Marine Corps League. The plate shall bear the words "Marine Corps League" or the letters "MCL" and the emblem of the Marine Corps League. The Division may not issue the plate authorized by this subdivision unless it receives at least ~~300-150~~ applications for the plate.
- (84) Marshal. – Issuable to a United States Marshal. The plate shall bear the phrase "U.S. Marshal" followed by a number that represents the district the Marshal serves, with 1 being the Eastern District, 2 being the Middle District, and 3 being the Western District.
- (84a) Mayor. – Issuable to the mayor of a municipality in this State. The plate shall bear the phrase "Mayor" and the letter "M" followed by a number that indicates the municipality the mayor serves. The number of a municipality shall be the order of the municipality in an alphabetical list of municipalities that assigns number one to the first municipality in the list, except that municipalities incorporated with an effective date after July 1, 2010, shall be placed at the end of the list in order of date of incorporation. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

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- (85) Military Reservist. – Issuable to a member of a reserve component of the Armed Forces of the United States. The plate shall bear the name and insignia of the appropriate reserve component. Plates shall be numbered sequentially for members of a component with the numbers 1 through 5000 reserved for officers, without regard to rank.
- (86) Military Retiree. – Issuable to an individual who has retired from the Armed Forces of the United States. The plate shall bear the word "Retired" and the name and insignia of the branch of service from which the individual retired.
- (87) Military Veteran. – Issuable to an individual who served honorably in the armed services of the United States. The plate shall bear the words "U.S. Military Veteran" and the name and insignia of the branch of service in which the individual served. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (88) Military Wartime Veteran. – Issuable to either a member or veteran of the armed services of the United States who served during a period of war who received a campaign or expeditionary ribbon or medal for their service. If the person is a veteran of the armed services, then the veteran must be separated from the armed services under honorable conditions. The plate shall bear a word or phrase identifying the period of war and a replica of the campaign badge or medal awarded for that war. The Division may not issue the plate authorized by this subdivision unless it receives a total of 300 applications for all periods of war, combined, to be represented on this plate. A "period of war" is any of the following:
- a. World War I, meaning the period beginning April 16, 1917, and ending November 11, 1918.
  - b. World War II, meaning the period beginning December 7, 1941, and ending December 31, 1946.
  - c. The Korean Conflict, meaning the period beginning June 27, 1950, and ending January 31, 1955.
  - d. The Vietnam Era, meaning the period beginning August 5, 1964, and ending May 7, 1975.
  - e. Desert Storm, meaning the period beginning August 2, 1990, and ending April 11, 1991.
  - f. Operation Enduring Freedom, meaning the period beginning October 24, 2001, and ending at a date to be determined.



- g. Operation Iraqi Freedom, meaning the period beginning March 19, 2003, and ending at a date to be determined.
  - h. Any other campaign, expedition, or engagement for which the United States Department of Defense authorizes a campaign badge or medal.
- (89) Mothers Against Drunk Driving. – Issuable to the registered owner of a motor vehicle. The plate shall bear the letters "M.A.D.D." and the words "Mothers Against Drunk Driving". The Division must receive 300 or more applications for the plate before it may be developed.
- (89a) Mountains-to-Sea Trail. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Mountains-to-Sea Trail" with a background designed by the Friends of the Mountains-to-Sea Trail, Inc.
- (89b) Municipal Council. – Issuable to a municipal council member, commissioner, or alderman of a municipality in this State. The plate shall bear the words "Council Member," "Commissioner," or "Alderman," followed first by a number representing the council member's municipality and then by a letter or number that distinguishes plates issued to council members of the same municipality. The number of a municipality shall be the order of the municipality in an alphabetical list of municipalities that assigns number one to the first municipality in the list, except that municipalities incorporated with an effective date after July 1, 2010, shall be placed at the end of the list in order of date of incorporation. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (90) National Guard Member. – Issuable to an active or a retired member of the North Carolina National Guard. The plate shall bear the phrase "National Guard". A plate issued to an active member shall bear a number that reflects the seniority of the member; a plate issued to a commissioned officer shall begin with the number "1"; a plate issued to a noncommissioned officer with a rank of E7, E8, or E9 shall begin with the number "1601"; a plate issued to an enlisted member with a rank of E6 or below shall begin with the number "3001". The plate issued to a retired or separated member shall indicate the member's retired status.

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- (91) National Kidney Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a phrase and logo selected by the Foundation.
- (91a) National Law Enforcement Officers Memorial. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "National Law Enforcement Officers Memorial" and the National Law Enforcement Officers Memorial logo.
- (92) National Multiple Sclerosis Society. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall have the logo of the National Multiple Sclerosis Society and the telephone number "1-800-FIGHT MS" on the plate.
- (93) National Rifle Association. – Issuable to the registered owner of a motor vehicle. The plate shall bear a phrase or insignia representing the National Rifle Association of America. The Division must receive 300 or more applications for the plate before it may be developed.
- (94) National Wild Turkey Federation. – Issuable to the registered owner of a motor vehicle. The plate shall bear the design of a strutting wild turkey and dogwood blossoms and the words "Working For The Wild Turkey." The Division must receive 300 or more applications for the plate before it may be developed.
- (95) Native American. – Issuable to the registered owner of a motor vehicle. The plate may bear a phrase or an insignia representing Native Americans. The Division must receive 300 or more applications for the plate before it may be developed.
- (95a) Native Brook Trout. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Native Brook Trout" and a picture of a brook trout native to North Carolina in the background.
- (96) NC Agribusiness. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the logo of the North Carolina Agribusiness Council, Inc., and the phrase "NC's #1 Industry".
- (96a) NC Beekeepers. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "NC Beekeepers" with a logo designed by the North Carolina Beekeepers Association, Inc.

- (97) NC Children's Promise. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "N.C. Children's Promise" and a logo representing the North Carolina Children's Promise organization.
- (97a) NC Civil War. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Freedom-Sacrifice-Memory" and a logo provided by the North Carolina Department of Cultural Resources.
- (98) NC Coastal Federation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a phrase used by the North Carolina Coastal Federation and an image that depicts the coastal area of the State.
- (98a) NC Fisheries Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Our Oldest Industry" and the logo of the North Carolina Fisheries Association.
- (98b) NC Horse Council. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "NC Horse Council" and a logo designed by the North Carolina Horse Council, Inc.
- (98c) NC Mining. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "NC Mining" with a logo designed by the North Carolina Gold Foundation, Inc.
- (99) NC Tennis Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Play Tennis" and the image of an implement of the tennis sport.
- (100) NC Trout Unlimited. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Back the Brookie" and an image that depicts a North Carolina brook trout.
- (100a) NC Veterinary Medical Association. – Issuable to a member of the NC Veterinary Medical Association in accordance with G.S. 20-81.12. The plate shall bear the phrase "NC Veterinary Medical Association" with an emblem of the NC Veterinary Medical Association.
- (100b) NC Wildlife Federation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a logo designed by the North Carolina Wildlife Federation, Inc.

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- (100c) Neuse River Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the name of the Neuse River Foundation.
- (101) North Carolina 4-H Development Fund. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or insignia representing The North Carolina 4-H Development Fund.
- (101a) North Carolina Emergency Management Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "North Carolina Emergency Management" and "www.readync.org."
- (102) North Carolina Libraries. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "North Carolina Libraries" and bear the international logo for libraries. The Division must receive 300 or more applications for the plate before it may be developed.
- (102a) North Carolina Master Gardener. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the letters "MG" with a logo representing the North Carolina Master Gardeners.
- (102b) North Carolina Senior Games. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "North Carolina Senior Games" with an emblem of the North Carolina Senior Games, Inc.
- (102c) North Carolina State Flag. – Issuable to the registered owner of a motor vehicle. The plate shall bear the image of the flag of the Great State of North Carolina. The letters and numbers shall be black. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (103) North Carolina Wildlife Habitat Foundation. – Issuable to the owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the logo of the North Carolina Wildlife Habitat Foundation on the left side and the background of the entire plate shall be beige or tan color. The numbers or other writing on the plate shall be black and the border shall be black. The plate shall be developed by the Division in consultation with and approved by the North Carolina Wildlife Habitat Foundation. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

- (104) Nurses. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20- 81.12. The plate shall bear the phrase "First in Nursing" and a representation relating to nursing.
- (105) Olympic Games. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or insignia representing the Olympic Games.
- (106) Omega Psi Phi Fraternity. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the fraternity's symbol and name.
- (106a) Outer Banks Preservation Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a logo designed by the Outer Banks Preservation Association, Inc.
- (106b) Pamlico-Tar River Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the name of the Pamlico-Tar River Foundation.
- (107) Paramedics. – Issuable to an emergency medical technician-paramedic, as defined in G.S. 131E-155. The plate shall bear the Star of Life logo and the phrase "Professional Paramedic". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (108) Partially Disabled Veteran. – Issuable to a veteran of the Armed Forces of the United States who suffered a service connected disability of less than 100%.
- (109) Pearl Harbor Survivor. – Issuable to a veteran of the Armed Forces of the United States who was present at and survived the attack on Pearl Harbor on December 7, 1941. The plate will bear the phrase "Pearl Harbor Survivor" and the insignia of the Pearl Harbor Survivors' Association.
- (109a) P.E.O. Sisterhood. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "P.E.O." and a logo designed by P.E.O. International.
- (110) Personalized. – Issuable to the registered owner of a motor vehicle. The plate will bear the letters or letters and numbers requested by the owner. The Division may refuse to issue a plate with a letter combination that is offensive to good taste and decency. The Division may not issue a plate that duplicates another plate.

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- (110a) Phi Beta Sigma Fraternity. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Phi Beta Sigma Fraternity" and the logo of the Phi Beta Sigma Fraternity, Inc.
- (111) POW/MIA. – Issuable to the owner of a motor vehicle. The plate shall bear the official POW/MIA logo. The Division must receive 300 or more applications for the plate before it may be developed.
- (112) Prince Hall Mason. – This plate is issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Prince Hall Mason" and a picture of the Masonic symbol.
- (113) Prisoner of War. – Issuable to the following:
- a. A member or veteran member of the Armed Forces of the United States who has been captured and held prisoner by forces hostile to the United States while serving in the Armed Forces.
  - b. The surviving spouse of a person who had a prisoner of war plate at the time of death so long as the surviving spouse continues to renew the plate and does not remarry.
- (114) Professional Sports Fan. – Issuable to the registered owner of a motor vehicle. The plate shall bear the logo of a professional sports team located in North Carolina. The Division shall receive 300 or more applications for a professional sports fan plate before a plate may be issued.
- (115) Prostate Cancer Awareness. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Prostate Cancer Awareness" and a representation of a blue ribbon. The Division must receive 300 or more applications for the plate before it may be developed.
- (116) Purple Heart Recipient. – Issuable to a recipient of the Purple Heart award. The plate shall bear the phrase "Purple Heart Veteran, Combat Wounded" and the letters "PH".
- (117) Red Hat Society. – Issuable to the registered owner of a motor vehicle. The plate shall bear a representation of The Red Hat Society. The Division must receive 300 or more applications for the plate before it may be developed.
- (118) Register of Deeds. – Issuable to a register of deeds. The plate shall bear the words "Register of Deeds" and the letter "R" followed by a number representing the county of the register of deeds. The number of a county shall be the order of the county in an alphabetical list of counties

that assigns number one to the first county in the list. A plate issued to a retired register of deeds shall bear the phrase "Register of Deeds, Retired," the letter "R" followed by a number that indicates the county the register of deeds served, and the letter "X" indicating the retired status of the register of deeds.

- (118a) Relay for Life. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Relay for Life" with a logo designed by the American Cancer Society. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (119) Retired Law Enforcement Officers. – The plate authorized by this subdivision shall bear the phrase "Retired Law Enforcement Officer " and a representation of a law enforcement badge. The Division must receive 300 or more applications for the plate before it may be developed. The plate is issuable to one of the following:
- a. A retired law enforcement officer presenting to the Division, along with the application for the plate, a copy of the officer's retired identification card or letter of retirement.
  - b. The surviving spouse of a person who had a retired law enforcement officer plate at the time of death so long as the surviving spouse continues to renew the plate and does not remarry.
- (119a) Retired Legislator. – Issuable to a retired member of the North Carolina General Assembly. The plate shall be developed by the Division in consultation with the Joint Legislative Transportation Oversight Committee.
- (119b) Retired Piedmont Airlines Employee. – This plate is issuable, in accordance with G.S. 20-81.12, to a retired Piedmont Airlines employee who presents to the Division an application for the plate and a copy of the employee's letter of retirement. The plate authorized by this subdivision shall bear the phrase "PA" and the Piedmont Speed Bird logo.
- (120) Retired State Highway Patrol. – The plate authorized by this subdivision shall bear the phrase "SHP, Retired." The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. The plate is issuable to one of the following:
- a. An individual who has retired from the North Carolina State Highway Patrol, presenting to the Division, along with the application for the plate, a copy of the retiree's retired identification card or letter of retirement.

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- b. The surviving spouse of a person who had retired from the State Highway Patrol who, along with the application for the plate, presents a copy of the deceased retiree's identification card or letter of retirement and certifies in writing that the retiree is deceased and that the applicant is not remarried.
- (121) Rocky Mountain Elk Foundation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Rocky Mountain Elk Foundation" and a logo approved by the Rocky Mountain Elk Foundation, Inc.
- (122) Save the Sea Turtles. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear the phrase "Save the Sea Turtles" and a representation related to sea turtles.
- (123) Scenic Rivers. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Scenic Rivers" and a picture representing the unique beauty of the scenic rivers of North Carolina.
- (123a) School Board. – Issuable to a school board member in this State. The plate shall bear the words "School Board" followed first by a number representing the school board and then by a letter or number that distinguishes plates issued to members of the same board. The number of a school board shall be the order of the school board in an alphabetical list of school boards that assigns number one to the first school board in the list. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (124) School Technology. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing the public school system in North Carolina.
- (125) SCUBA. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "SCUBA" and a logo of the Diver Down Flag.
- (126) Shag Dancing. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear the phrase "I'd Rather Be Shaggin'" and a picture representing shag dancing.
- (127) Share the Road. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a representation of a bicycle and the phrase "Share the Road".



- (128) Sheriff. – Issuable to a current sheriff or to a retired sheriff who served as sheriff for at least 10 years before retiring. A plate issued to a current sheriff shall bear the word "Sheriff" and the letter "S" followed by a number that indicates the county the sheriff serves. A plate issued to a retired sheriff shall bear the phrase "Sheriff, Retired", the letter "S" followed by a number that indicates the county the sheriff served, and the letter "X" indicating the sheriff's retired status.
- (129) Silver Star Recipient. – Issuable to a recipient of the Silver Star. The plate shall bear the emblem of the Silver Star and the words "Silver Star".
- (129a) Silver Star Recipient/Disabled Veteran. – Issuable to a recipient of the Silver Star who is also a veteran of the Armed Forces of the United States who suffered a one hundred percent (100%) service-connected disability. The plate shall bear the emblem of the Silver Star, the universal symbol for the handicapped, and the words "Silver Star."
- (129a) Social Workers. – Issuable to the registered owner of a motor vehicle. The plate shall bear the image of the Social Workers Help Starts Here logo. All the letters and numbers shall be black. The Division must receive 300 or more applications for the plate before it may be developed.
- (130) Soil and Water Conservation. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase and picture appropriate to the subject of water quality and environmental protection in North Carolina.
- (131) Special Forces Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a representation of the Special Forces Association shoulder patch with tabs and shall bear the words "Special Forces Association."
- (132) Special Olympics. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing the North Carolina Special Olympics.
- (133) Sport Fishing. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase and picture appropriate to the subject of sport fishing in North Carolina. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

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- (134) Square Dance Clubs. – Issuable to a member of a recognized square dance organization exempt from corporate income tax under G.S. 105-130.11(a)(5). The plate shall bear a word or phrase identifying the club and the emblem of the club. The Division shall not issue a dance club plate authorized by this subdivision unless it receives at least 300 applications for that dance club plate.
- (134a) S.T.A.R. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "For the Love of Horses" and a logo depicting a horse rearing up on its hind legs.
- (135) State Attraction. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or an insignia representing a publicly owned or nonprofit State or federal attraction located in North Carolina.
- (136) State Government Official. – Issuable to elected and appointed members of State government in accordance with G.S. 20-79.5.
- (137) Stock Car Racing Theme. – Issuable to the registered owner of a motor vehicle pursuant to G.S. 20-81.12. This is a series of plates bearing an emblem, seal, other symbol or design displaying themes of professional stock car auto racing, or professional stock car auto racing drivers. The Division shall not develop any plate in the series without a license to use copyrighted or registered words, symbols, trademarks, or designs associated with the plate. The plate shall be designed in consultation with and approved by the person authorized to provide the State with the license to use the words, symbols, trademarks, or designs associated with the plate. The Division shall not pay a royalty for the license to use the copyrighted or registered words, symbols, trademarks, or designs associated with the plate.
- (138) Street Rod Owner. – Issuable to the registered owner of a modernized private passenger motor vehicle manufactured prior to the year 1949 or designed to resemble a vehicle manufactured prior to the year 1949. The plate shall bear the phrase "Street Rod". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (138a) Support NC Education. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Support NC Education" with a picture of a mortar board hat and a diploma.

- (139) Support Our Troops. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a picture of a soldier and a child and shall bear the words: "Support Our Troops".
- (139a) Support Soccer. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "Support Soccer" and a logo designed by the North Carolina Soccer Hall of Fame, Inc.
- (140) Surveyor Plate. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the words "Following In Their Footsteps" and shall bear a picture of a transit.
- (141) Sweet Potato. – Issuable to the registered owner of a motor vehicle. The plate may bear a phrase and picture representing the State's official vegetable, the sweet potato. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (142) Tarheel Classic Thunderbird Club. – Issuable to the registered owner of a motor vehicle. The plate shall bear the logo of the Tarheel Classic Thunderbird Club and the phrase "Tarheel Classic Thunderbird Club". The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (143) Tobacco Heritage. – Issuable to the registered owner of a motor vehicle. The plate shall bear a picture of a tobacco leaf and plow. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (143a) Town of Oak Island. – Issuable to the registered owner of a motor vehicle. The plate shall bear the seal of the Town of Oak Island and the letters "OKI." The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (144) Transportation Personnel. – Issuable to various members of the Divisions of the Department of Transportation. The plate shall bear the letters "DOT" followed by a number from 1 to 85, as designated by the Governor.
- (144a) Travel and Tourism. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "www.visitnc.com."
- (144b) United States Service Academy. – Issuable to a graduate of one of the service academies, who can provide documentation of graduation, in accordance with G.S. 20-81.12. The plate shall bear the name of the specific service academy with an emblem that designates the specific service academy being represented.

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- (145) US Equine Rescue League. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the phrase "United States Equine Rescue League", and a depiction of two horses in a circle.
- (146) U.S. Navy ~~Specialty-Submarine Veteran~~. – Issuable to a veteran of the United States Navy ~~Submariner-Submarine Service~~. The plate shall bear the phrase ~~"Silent Service Veteran"~~ "United States Navy Submarine Veteran" and shall bear a representation of the Submarine Service Qualification ~~pin-in-signia overlaid upon a representation of the State of North Carolina~~. The Division may not issue the plate authorized by this subdivision unless it receives at least ~~300-150~~ applications for the plate.
- (147) U.S. Representative. – Issuable to a United States Representative for North Carolina. The plate shall bear the phrase "U.S. House" and shall be issued on the basis of Congressional district numbers.
- (148) U.S. Senator. – Issuable to a United States Senator for North Carolina. The plates shall bear the phrase "U.S. Senate" and shall be issued on the basis of seniority represented by the numbers 1 and 2.
- (149) University Health Systems of Eastern Carolina. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate may bear a phrase or insignia representing the University Health Systems of Eastern Carolina.
- (150) The V Foundation for Cancer Research. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a phrase and insignia representing The V Foundation for Cancer Research.
- (151) Veterans of Foreign Wars. – Issuable to a member or a supporter of the Veterans of Foreign Wars. The plate shall bear the words "Veterans of Foreign Wars" or "VFW" and the emblem of the VFW. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.
- (151a) Victory Junction Gang Camp. – Issuable to the registered owner of a motor vehicle. The plate shall bear the phrase "Victory Junction Gang Camp." The Division must receive 300 or more applications for the plate before it may be developed.
- (152) Watermelon. – Issuable to the registered owner of a motor vehicle. The plate shall bear a picture representing a slice of watermelon. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

- (153) Wildlife Resources. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a picture representing a native wildlife species occurring in North Carolina.
- (154) Zeta Phi Beta Sorority. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear the sorority's name and symbol.

**SECTION 3.** G.S. 20-79.7(a) reads as rewritten:

"(a) Fees. – Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of a Legion of Valor award, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates, including additional Legion of Valor, 100% Disabled Veteran, and Ex-Prisoner of War plates, are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
<u>Adoption Works</u>	<u>\$30.00</u>
<u>American Red Cross</u>	<u>\$30.00</u>
<u>ARTS NC</u>	<u>\$30.00</u>
<u>Back Country Horsemen of NC</u>	<u>\$30.00</u>
<u>Boy Scouts of America</u>	<u>\$30.00</u>
<u>Brenner Children's Hospital</u>	<u>\$30.00</u>
<u>Carolinas Golf Association</u>	<u>\$30.00</u>
<u>Carolina Raptor Center</u>	<u>\$30.00</u>
<u>Carolinas Credit Union Foundation</u>	<u>\$30.00</u>
<u>Coastal Conservation Association</u>	<u>\$30.00</u>
<u>Crystal Coast</u>	<u>\$30.00</u>
<u>Daniel Stowe Botanical Garden</u>	<u>\$30.00</u>
<u>El Pueblo</u>	<u>\$30.00</u>
<u>Farmland Preservation</u>	<u>\$30.00</u>
<u>First in Forestry</u>	<u>\$30.00</u>
<u>Friends of Camp Daniel Boone</u>	<u>\$30.00</u>
<u>Girl Scouts</u>	<u>\$30.00</u>
<u>Green Industry Council</u>	<u>\$30.00</u>
<u>Historical Attraction</u>	<u>\$30.00</u>
<u>Home Care and Hospice</u>	<u>\$30.00</u>
<u>Home of American Golf</u>	<u>\$30.00</u>
<u>HOMES4NC</u>	<u>\$30.00</u>
<u>Hospice Care</u>	<u>\$30.00</u>
<u>In God We Trust</u>	<u>\$30.00</u>
<u>Maggie Valley Trout Festival</u>	<u>\$30.00</u>
<u>Mountains-to-Sea Trail</u>	<u>\$30.00</u>
<u>National Kidney Foundation</u>	<u>\$30.00</u>
<u>National Law Enforcement Officers Memorial</u>	<u>\$30.00</u>
<u>Native Brook Trout</u>	<u>\$30.00</u>
<u>NC Civil War</u>	<u>\$30.00</u>
<u>NC Coastal Federation</u>	<u>\$30.00</u>

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<u>NC Veterinary Medical Association</u>	<u>\$30.00</u>
<u>Neuse River Foundation</u>	<u>\$30.00</u>
North Carolina 4-H Development Fund	\$30.00
<u>North Carolina Emergency Management Association</u>	<u>\$30.00</u>
North Carolina Libraries	\$30.00
<u>North Carolina Senior Games</u>	<u>\$30.00</u>
<u>Outer Banks Preservation Association</u>	<u>\$30.00</u>
<u>Pamlico-Tar River Foundation</u>	<u>\$30.00</u>
<u>P.E.O. Sisterhood</u>	<u>\$30.00</u>
Personalized	\$30.00
Share the Road	\$30.00
<u>S.T.A.R.</u>	<u>\$30.00</u>
State Attraction	\$30.00
Stock Car Racing Theme	\$30.00
<u>Support NC Education</u>	<u>\$30.00</u>
Support Our Troops	\$30.00
<u>Travel and Tourism</u>	<u>\$30.00</u>
<u>United States Service Academy</u>	<u>\$30.00</u>
AIDS Awareness	\$25.00
Buffalo Soldiers	\$25.00
Collegiate Insignia	\$25.00
<u>First in Turf</u>	<u>\$25.00</u>
Goodness Grows	\$25.00
High School Insignia	\$25.00
Kids First	\$25.00
Olympic Games	\$25.00
National Multiple Sclerosis Society	\$25.00
National Wild Turkey Federation	\$25.00
NC Agribusiness	\$25.00
NC Children's Promise	\$25.00
<del>NC Coastal Federation</del>	<del>\$30.00</del>
<u>North Carolina Senior Games</u>	<u>\$30.00</u>
Nurses	\$25.00
Rocky Mountain Elk Foundation	\$25.00
Special Olympics	\$25.00
<u>Support Soccer</u>	<u>\$25.00</u>
Surveyor Plate	\$25.00
The V Foundation for Cancer Research Division	\$25.00
University Health Systems of Eastern Carolina	\$25.00
Alpha Phi Alpha Fraternity	\$20.00
ALS Association, Jim "Catfish" Hunter Chapter	\$20.00
Animal Lovers	\$20.00
ARC of North Carolina	\$20.00
Audubon North Carolina	\$20.00
Autism Society of North Carolina	\$20.00
<u>Battle of Kings Mountain</u>	<u>\$20.00</u>

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Be Active NC	\$20.00
Brain Injury Awareness	\$20.00
Breast Cancer Earlier Detection	\$20.00
Buddy Pelletier Surfing Foundation	\$20.00
<u>CureSearch</u>	<u>\$20.00</u>
Daughters of the American Revolution	\$20.00
<u>Donate Life</u>	<u>\$20.00</u>
Ducks Unlimited	\$20.00
Greyhound Friends of North Carolina	\$20.00
Guilford Battleground Company	\$20.00
<u>Harley Owners' Group</u>	<u>\$20.00</u>
<u>Jaycees</u>	<u>\$20.00</u>
Juvenile Diabetes Research Foundation	\$20.00
<del>Harley Owners' Group</del>	<del>\$20.00</del>
Litter Prevention	\$20.00
March of Dimes	\$20.00
<u>NC Fisheries Association</u>	<u>\$20.00</u>
<u>NC Horse Council</u>	<u>\$20.00</u>
<u>NC Mining</u>	<u>\$20.00</u>
NC Tennis Foundation	\$20.00
NC Trout Unlimited	\$20.00
<u>NC Wildlife Federation</u>	<u>\$20.00</u>
NC Wildlife Habitat Foundation	\$20.00
<u>North Carolina Master Gardener</u>	<u>\$20.00</u>
Omega Psi Phi Fraternity	\$20.00
<u>Phi Beta Sigma Fraternity</u>	<u>\$20.00</u>
Prince Hall Mason	\$20.00
<u>Retired Piedmont Airlines Employee</u>	<u>\$20.00</u>
Save the Sea Turtles	\$20.00
Scenic Rivers	\$20.00
School Technology	\$20.00
SCUBA	\$20.00
Soil and Water Conservation	\$20.00
Special Forces Association	\$20.00
Support Public Schools	\$20.00
US Equine Rescue League	\$20.00
Wildlife Resources	\$20.00
Zeta Phi Beta Sorority	\$20.00
<u>Active and Retired Federal Employees</u>	<u>\$15.00</u>
<u>Carolina Regional Volleyball Association</u>	<u>\$15.00</u>
Carolina's Aviation Museum	\$15.00
Leukemia & Lymphoma Society	\$15.00
Lung Cancer Research	\$15.00
<u>NC Beekeepers</u>	<u>\$15.00</u>
Shag Dancing	\$15.00
Active Member of the National Guard	None

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100% Disabled Veteran	None
Ex-Prisoner of War	None
Gold Star Lapel Button	None
Legion of Valor	None
Purple Heart Recipient	None
Silver Star Recipient	None
<u>Silver Star Recipient/Disabled Veteran</u>	<u>None</u>
All Other Special Plates	\$10.00."

**SECTION 4.** G.S. 20-79.7(b) reads as rewritten:

"(b) Distribution of Fees. – The Special Registration Plate Account and the Collegiate and Cultural Attraction Plate Account are established within the Highway Fund. The Division must credit the additional fee imposed for the special registration plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the Collegiate and Cultural Attraction Plate Account (CCAPA), the Natural Heritage Trust Fund (NHTF), which is established under G.S. 113-77.7, and the Parks and Recreation Trust Fund, which is established under G.S. 113-44.15, as follows:

<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>	<u>PRTF</u>
<u>Active and Retired Federal Employees</u>	<u>\$10</u>	<u>\$5</u>	<u>0</u>	<u>0</u>
<u>Adoption Works</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
AIDS Awareness	\$10	\$15	0	0
Alpha Phi Alpha Fraternity	\$10	\$10	0	0
ALS Association, Jim "Catfish" Hunter Chapter	\$10	\$10	0	0
<u>American Red Cross</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Animal Lovers	\$10	\$10	0	0
ARC of North Carolina	\$10	\$10	0	0
<u>ARTS NC</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Audubon North Carolina	\$10	\$10	0	0
Autism Society of North Carolina	\$10	\$10	0	0
Back Country Horsemen of NC	\$10	\$20	0	0
<u>Battle of Kings Mountain</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
Be Active NC	\$10	\$10	0	0
<u>Boy Scouts of America</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Brain Injury Awareness	\$10	\$10	0	0
Breast Cancer Earlier Detection	\$10	\$10	0	0
<u>Brenner Children's Hospital</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Buddy Pelletier Surfing Foundation	\$10	\$10	0	0
Buffalo Soldiers	\$10	\$15	0	0
<u>Carolina Raptor Center</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>Carolina Regional Volleyball Association</u>	<u>\$10</u>	<u>\$5</u>	<u>0</u>	<u>0</u>
Carolina's Aviation Museum	\$10	\$5	0	0
<u>Carolinas Credit Union Foundation</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>

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<u>Carolinas Golf Association</u>	\$10	\$20	0	0
Coastal Conservation Association	\$10	\$20	0	0
Crystal Coast	\$10	\$20	0	0
<u>CureSearch</u>	\$10	\$10	0	0
<u>Daniel Stowe Botanical Garden</u>	\$10	\$20	0	0
Daughters of the American Revolution	\$10	\$10	0	0
<u>Donate Life</u>	\$10	\$10	0	0
Ducks Unlimited	\$10	\$10	0	0
El Pueblo	\$10	\$20	0	0
<u>Farmland Preservation</u>	\$10	\$20	0	0
First in Forestry	\$10	\$10	\$10	0
<u>First in Turf</u>	\$10	\$15	0	0
<u>Friends of Camp Daniel Boone</u>	\$10	\$20	0	0
<u>Girl Scouts</u>	\$10	\$20	0	0
Goodness Grows	\$10	\$15	0	0
<u>Green Industry Council</u>	\$10	\$20	0	0
Greyhound Friends of North Carolina	\$10	\$10	0	0
Guilford Battleground Company	\$10	\$10	0	0
Harley Owners' Group	\$10	\$10	0	0
High School Insignia	\$10	\$15	0	0
Historical Attraction	\$10	\$20	0	0
Home Care and Hospice	\$10	\$20	0	0
<u>Home of American Golf</u>	\$10	\$20	0	0
HOMES4NC	\$10	\$20	0	0
Hospice Care	\$10	\$20	0	0
In God We Trust	\$10	\$20	0	0
In-State Collegiate Insignia	\$10	\$15	0	0
<u>Jaycees</u>	\$10	\$10	0	0
Juvenile Diabetes Research Foundation	\$10	\$10	0	0
Kids First	\$10	\$15	0	0
Leukemia & Lymphoma Society	\$10	\$5	0	0
Litter Prevention	\$10	\$10	0	0
Lung Cancer Research	\$10	\$5	0	0
Maggie Valley Trout Festival	\$10	\$20	0	0
March of Dimes	\$10	\$10	0	0
<u>Mountains-to-Sea Trail</u>	\$10	\$20	0	0
National Kidney Foundation	\$10	\$20	0	0
<u>National Law Enforcement Officers Memorial</u>	\$10	\$20	0	0
National Multiple Sclerosis Society	\$10	\$15	0	0

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National Wild Turkey Federation	\$10	\$15	0	0
<u>Native Brook Trout</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
NC Agribusiness	\$10	\$15	0	0
<u>NC Beekeepers</u>	<u>\$10</u>	<u>\$5</u>	<u>0</u>	<u>0</u>
NC Children's Promise	\$10	\$15	0	0
<u>NC Civil War</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
NC Coastal Federation	\$10	\$20	0	0
NC 4-H Development Fund	\$10	\$20	0	0
<u>NC Fisheries Association</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
<u>NC Horse Council</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
<u>NC Mining</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
NC Tennis Foundation	\$10	\$10	0	0
NC Trout Unlimited	\$10	\$10	0	0
<u>NC Veterinary Medical Association</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>NC Wildlife Federation</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
<del>North Carolina Libraries</del>	<del>\$10</del>	<del>\$20</del>	<del>0</del>	<del>0</del>
NC Wildlife Habitat Foundation	\$10	\$10	0	0
<u>Neuse River Foundation</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>North Carolina Emergency Management Association</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>North Carolina Libraries</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>North Carolina Master Gardener</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
<u>North Carolina Senior Games</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Nurses	\$10	\$15	0	0
Olympic Games	\$10	\$15	0	0
Omega Psi Phi Fraternity	\$10	\$10	0	0
Out-of-state Collegiate Insignia	\$10	0	\$15	0
<u>Outer Banks Preservation Association</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>Pamlico-Tar River Foundation</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>P.E.O. Sisterhood</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Personalized	\$10	0	\$15	\$5
<u>Phi Beta Sigma Fraternity</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
Prince Hall Mason	\$10	\$10	0	0
<u>Retired Piedmont Airlines Employee</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
Rocky Mountain Elk Foundation	\$10	\$15	0	0
Save the Sea Turtles	\$10	\$10	0	0
Scenic Rivers	\$10	\$10	0	0
School Technology	\$10	\$10	0	0
SCUBA	\$10	\$10	0	0
Shag Dancing	\$10	\$5	0	0
Share the Road	\$10	\$20	0	0
Soil and Water Conservation	\$10	\$10	0	0
Special Forces Association	\$10	\$10	0	0

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Special Olympics	\$10	\$15	0	0
<u>S.T.A.R.</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
State Attraction	\$10	\$20	0	0
Stock Car Racing Theme	\$10	\$20	0	0
<u>Support NC Education</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
Support Our Troops	\$10	\$20	0	0
Support Public Schools	\$10	\$10	0	0
<u>Support Soccer</u>	<u>\$10</u>	<u>\$15</u>	<u>0</u>	<u>0</u>
Surveyor Plate	\$10	\$15	0	0
The V Foundation for Cancer Research	\$10	\$15	0	0
<u>Travel and Tourism</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
<u>United States Service Academy</u>	<u>\$10</u>	<u>\$20</u>	<u>0</u>	<u>0</u>
University Health Systems of Eastern Carolina	\$10	\$15	0	0
US Equine Rescue League	\$10	\$10	0	0
Wildlife Resources	\$10	\$10	0	0
Zeta Phi Beta Sorority	\$10	\$10	0	0
All other Special Plates	\$10	0	0	0.

**SECTION 5.** Chapter 20 of the General Statutes is amended by adding a new section to read:

**"§ 20-79.8. Expiration of special registration plates.**

(a) Expiration. – The Division shall not issue or reissue any series of special registration plate authorized under G.S. 20-79.4 if all of the following apply:

- (1) Part 5 of Article 3 of Chapter 20 of the General Statutes requires at least 300 applications before the plate may be issued.
- (2) There are fewer than 200 active sets of the plate.
- (3) The plate has not been reauthorized by the General Assembly.

(b) Report. – By October 1 of each year, the Division shall provide to the Joint Legislative Oversight Committee on Transportation a list of special registration plates identified in subsection (a) of this section."

**SECTION 6.** G.S. 20-81.12(b2) reads as rewritten:

"(b2) State Attraction Plates. – The Division must receive 300 or more applications for a State attraction plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of State attraction plates to the organizations named below in proportion to the number of State attraction plates sold representing that organization:

- (1) Appalachian Trail Conservancy. – The revenue derived from the special plate shall be transferred quarterly to The Appalachian Trail Conservancy to be used for educational materials, preservation programs, trail maintenance, railway and viewshed acquisitions, railway and

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viewshed easement acquisitions, capital improvements for the portions of the Appalachian Trail and connecting trails that are located in North Carolina, and related administrative and operating expenses.

- (~~h~~)(3) Blue Ridge Parkway Foundation. – The revenue derived from the special plate shall be transferred quarterly to Blue Ridge Parkway Foundation for use in promoting and preserving the Blue Ridge Parkway as a scenic attraction in North Carolina. A person may obtain from the Division a special registration plate under this subdivision for the registered owner of a motor vehicle or a motorcycle. The registration fees and the restrictions on the issuance of a specialized registration plate for a motorcycle are the same as for any motor vehicle. The Division must receive a minimum of 300 applications to develop a special registration plate for a motorcycle.
- (~~e~~)(5) Friends of the Great Smoky Mountains National Park. – The revenue derived from the special plate shall be transferred quarterly to the Friends of the Great Smoky Mountains National Park, Inc., to be used for educational materials, preservation programs, capital improvements for the portion of the Great Smoky Mountains National Park that is located in North Carolina, and ~~operating expenses of the Great Smoky Mountains National Park~~ related administrative and operating expenses.
- (~~g~~) ~~Friends of the Appalachian Trail. – The revenue derived from the special plate shall be transferred quarterly to The Appalachian Trail Conference to be used for educational materials, preservation programs, trail maintenance, railway and viewshed acquisitions, railway and viewshed easement acquisitions, capital improvements for the portions of the Appalachian Trail and connecting trails that are located in North Carolina, and related administrative and operating expenses.~~
- (~~i~~)(7) North Carolina State Parks. – One-half of the revenue derived from the special plate shall be transferred quarterly to Natural Heritage Trust Fund established under G.S. 113-77.7, and the remaining revenue shall be transferred quarterly to the Parks and Recreation Trust Fund established under G.S. 113-44.15.
- (9) "Old Baldy," Bald Head Island Lighthouse. – The revenue derived from the special plate shall be transferred quarterly to the Old Baldy Foundation, Inc., for its programs in support of the Bald Head Island Lighthouse.
- (~~j~~)(11) The North Carolina Aquariums. – The revenue derived from the special plate shall be transferred quarterly to the

North Carolina Aquarium Society, Inc., for its programs in support of the North Carolina Aquariums.

- ~~(+m)~~(13) The North Carolina Arboretum. – The revenue derived from the special plate shall be transferred quarterly to The North Carolina Arboretum Society and used to help the Society obtain grants for the North Carolina Arboretum and for capital improvements to the North Carolina Arboretum.
- ~~(+p)~~(15) The North Carolina Maritime Museum. – The revenue derived from the special plate shall be transferred quarterly to Friends of the Museum, North Carolina Maritime Museum, Inc., to be used for educational programs and conservation programs and for operating expenses of the North Carolina Maritime Museum.
- ~~(+t)~~(17) The North Carolina Museum of Natural Sciences. – The revenue derived from the special plate shall be transferred quarterly to the Friends of the North Carolina State Museum of Natural Sciences for its programs in support of the museum.
- ~~(+2)~~(20) The North Carolina Zoological Society. – The revenue derived from the special plate shall be transferred quarterly to The North Carolina Zoological Society, Incorporated, to be used for educational programs and conservation programs at the North Carolina Zoo at Asheboro and for operating expenses of the North Carolina Zoo at Asheboro."

**SECTION 7.** G.S. 20-81.12 is amended by adding the following new subsections to read:

"(b73) Active and Retired Federal Employees. – The Division must receive 300 or more applications for an Active and Retired Federal Employees plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Active and Retired Federal Employees plates to the North Carolina Chapter of the National Active and Retired Federal Employees Association to support the Association's retirement and benefits education programs for active and retired employees living in North Carolina.

(b74) Adoption Works. – The Division must receive 300 or more applications for the Adoption Works plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Adoption Works plates to the Children's Home Society of North Carolina to provide funding to support the mission of the Children's Home Society of North Carolina.

(b75) American Red Cross. – The Division must receive 300 or more applications for an American Red Cross plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of American Red Cross plates to the American Red Cross.

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(b76) ARTS NC. – The Division must receive 300 or more applications for the ARTS NC plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of ARTS NC plates to ARTS North Carolina, Inc., to provide funding to promote the arts in North Carolina.

(b77) Battle of Kings Mountain. – The Division must receive 300 or more applications for the "Battle of Kings Mountain" plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of "Battle of Kings Mountain" plates by transferring fifty percent (50%) to the Kings Mountain Tourism Development Authority and fifty percent (50%) to Kings Mountain Gateway Trails, Inc., to be used to develop tourism in the area and provide safe and adequate trails for visitors to the park.

(b78) Boy Scouts of America. – The Division must receive 300 or more applications for the Boy Scouts of America plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Boy Scouts of America plates to the Old Hickory Council of the Boy Scouts of America, where the proceeds will be divided equally among the Boy Scouts of America Councils in this State to be used for educational programs, preservation programs, capital improvements on facilities located in this State, and related administrative and operating expenses.

(b79) Brenner Children's Hospital. – The Division must receive 300 or more applications for the "Brenner Children's Hospital" plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Brenner Children's Hospital plates to the NCBH Special Purpose-Pediatric Unit Fund to provide funding for Brenner Children's Hospital.

(b80) Carolina Raptor Center. – The Division must receive 300 or more applications for a Carolina Raptor Center plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Carolina Raptor Center plates to the Carolina Raptor Center to be used for educational materials, preservation programs, capital improvements for the Carolina Raptor Center, and operating expenses of the Carolina Raptor Center.

(b81) Carolina Regional Volleyball Association. – The Division must receive 300 or more applications for the Carolina Regional Volleyball Association plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of the Carolina Regional Volleyball Association plates to the Carolina Regional Volleyball Association to promote and develop the sport of volleyball throughout North Carolina.

(b82) Carolinas Credit Union Foundation. – The Division must receive 300 or more applications for the Carolinas Credit Union Foundation plate before the plate may be developed. The Division shall transfer quarterly the money in

the Collegiate and Cultural Attraction Plate Account derived from the sale of Carolinas Credit Union Foundation plates to the Carolinas Credit Union Foundation, Inc., for youth-focused programs.

(b83) Carolinas Golf Association. – The Division must receive 300 or more applications for the Carolinas Golf Association plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Carolinas Golf Association plates to the Carolinas Golf Association to be used to promote amateur golf in North Carolina.

(b84) CureSearch. – The Division must receive 300 or more applications for the "CureSearch" plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of "CureSearch" plates to the National Childhood Cancer Foundation to provide funding for pediatric cancer research in North Carolina.

(b85) Daniel Stowe Botanical Garden. – The Division must receive 300 or more applications for the Daniel Stowe Botanical Garden plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Daniel Stowe Botanical Garden plates to the Daniel Stowe Botanical Garden Foundation, Inc., to provide funding for the Daniel Stowe Botanical Garden outreach program.

(b86) Donate Life. – The Division must receive 300 or more applications for the Donate Life plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Donate Life plates to Donate Life North Carolina to be divided equally among the transplant centers in North Carolina to include Bowman Gray Medical Center, Carolinas Medical Center, Duke University, East Carolina University, and the University of North Carolina at Chapel Hill. The transplant centers shall use all of the proceeds received from this plate to provide funding for expenses incurred by needy families, recipients, and expenses related to organ donation.

(b87) Farmland Preservation. – The Division must receive 300 or more applications for the Farmland Preservation plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Farmland Preservation plates to the North Carolina Agricultural Development and Farmland Preservation Trust Fund established pursuant to G.S. 106-744.

(b88) First in Turf. – The Division must receive 300 or more applications for the First in Turf plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of First in Turf plates to the Center for Environmental Turfgrass Research at North Carolina State University for its programs.

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(b89) Friends of Camp Daniel Boone. – The Division must receive 300 or more applications for the Friends of Camp Daniel Boone plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Friends of Camp Daniel Boone plates to the Daniel Boone Council of the Boy Scouts of America to be used to support Camp Daniel Boone's programs and to pay administrative and operating expenses.

(b90) Girl Scouts. – The Division must receive 300 or more applications for the Girl Scouts plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Girl Scouts plates to the Girl Scouts North Carolina Coastal Pines, where the proceeds will be divided equally among the officially chartered Girl Scout Councils in this State to be used for educational programs, preservation programs, capital improvements on facilities located in this State, and related administrative and operating expenses.

(b91) Green Industry Council. – The Division must receive 300 or more applications for the Green Industry Council plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Green Industry plates to the Green Industry Council to be used to provide an umbrella of advocacy for green industry issues, the promotion of the green industry, and educational activities.

(b92) Home of American Golf. – The Division must receive 300 or more applications for the Home of American Golf plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Home of American Golf plates to the Given Memorial Library, Inc., to provide funding for the Given Memorial Library – The Tufts Archives.

(b93) Jaycees. – The Division must receive 300 or more applications for the Jaycees plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Jaycees plates to the North Carolina JCI Senate, Inc., to be used to support and underwrite Jaycee activities in North Carolina.

(b94) Mountains-to-Sea Trail. – The Division must receive 300 or more applications for the Mountains-to-Sea Trail plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Mountains-to-Sea Trail plates to the Friends of the Mountains-to-Sea Trail, Inc., to be used to fund trail projects and related administrative and operating expenses.

(b95) National Law Enforcement Officers Memorial. – The Division must receive 300 or more applications for a National Law Enforcement Officers Memorial plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of National Law Enforcement Officers Memorial plates to the National Law Enforcement Officers Memorial Fund to support the National Law Enforcement Officers Memorial in Washington, D.C.



(b96) Native Brook Trout. – The Division must receive 300 or more applications for the Native Brook Trout plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Native Brook Trout plates to the North Carolina Wildlife Resources Commission to be used to fund public access to, and habitat protection of, brook trout waters.

(b97) NC Beekeepers. – The Division must receive 300 or more applications for the NC Beekeepers plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Beekeepers plates to the North Carolina State Beekeepers Association, Inc., to be used to educate the public about the importance of bees to our agricultural economy.

(b98) NC Civil War. – The Division must receive 300 or more applications for the NC Civil War plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Civil War plates to the North Carolina Department of Cultural Resources, Office of Archives and History, to provide funding to acquire, interpret, and preserve North Carolina's Civil War history.

(b99) NC Fisheries Association. – The Division must receive 300 or more applications for the NC Fisheries Association plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Fisheries Association plates to the NC Fisheries Association to facilitate the promotion of North Carolina families, heritage, and seafood through accessible data about the ever-changing commercial fishing industry.

(b100) NC Horse Council. – The Division must receive 300 or more applications for the NC Horse Council plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Horse Council plates to the North Carolina Horse Council, Inc., to promote and enhance the equine industry in North Carolina.

(b101) NC Mining. – The Division must receive 300 or more applications for the NC Mining plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Mining plates to the North Carolina Gold Foundation, Inc., to provide funding for information and education about mining in North Carolina.

(b102) NC Veterinary Medical Association. – The Division must receive 300 or more applications for the NC Veterinary Medical Association plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Veterinary Medical Association plates to the Friends of NCVMA Foundation, Inc., to be used to provide compassionate, quality health care for all animals, to protect the health of the public, to strengthen the human-animal bond, and to provide advanced continuing education for the public.

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(b103) NC Wildlife Federation. – The Division must receive 300 or more applications for the NC Wildlife Federation plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of NC Wildlife Federation plates to the North Carolina Wildlife Federation, Inc., to provide funding for a grassroots program to involve anglers, hunters, and wildlife enthusiasts in conservation issues affecting North Carolina.

(b104) Neuse River Foundation. – The Division must receive 300 or more applications for the Neuse River Foundation plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Neuse River Foundation plates to the Neuse River Foundation, Inc., to provide funding for the cleanup, preservation, and oversight of the Neuse River and the river's watersheds and basins.

(b105) North Carolina Emergency Management Association. – The Division must receive 300 or more applications for the North Carolina Emergency Management Association plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of North Carolina Emergency Management Association plates to the North Carolina Emergency Management Association to be used for training and education purposes.

(b106) North Carolina Master Gardener. – The Division must receive 300 or more applications for the North Carolina Master Gardener plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of North Carolina Master Gardener plates to the Master Gardener's Endowment fund maintained by the Agricultural Foundation of North Carolina State University, to be used for educational programs by trained volunteers who work in partnership with their county Cooperative Extension offices to extend information in consumer horticulture.

(b107) North Carolina Senior Games. – The Division must receive 300 or more applications for the North Carolina Senior Games plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of North Carolina Senior Games plates to the North Carolina Senior Games, Inc., to promote senior games in North Carolina.

(b108) Outer Banks Preservation Association. – The Division must receive 300 or more applications for an Outer Banks Preservation Association plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Outer Banks Preservation Association plates to the Outer Banks Preservation Association to facilitate the protection of the public's right to access beaches in North Carolina.

(b109) Pamlico-Tar River Foundation. – The Division must receive 300 or more applications for the Pamlico-Tar River Foundation plate before the plate may be developed. The Division shall transfer quarterly the money in the

Collegiate and Cultural Attraction Plate Account derived from the sale of Pamlico-Tar River Foundation plates to the Pamlico-Tar River Foundation, Inc., to provide funding for the cleanup, preservation, and oversight of the Pamlico and Tar Rivers, and their watersheds and basin.

(b110) P.E.O. Sisterhood. – The Division must receive 300 or more applications for the P.E.O. Sisterhood plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of P.E.O. Sisterhood plates to P.E.O. International to be used for scholarships for young women.

(b111) Phi Beta Sigma Fraternity. – The Division must receive 300 or more applications for the Phi Beta Sigma Fraternity plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Phi Beta Sigma Fraternity plates to the Phi Beta Sigma Fraternity, Inc., to provide funding for scholarships, education and professional development, or similar programs. None of the proceeds from this special plate may be distributed to any board member as compensation or as an honorarium.

(b112) Retired Piedmont Airlines Employee. – The Division must receive 300 or more applications for a Retired Piedmont Airlines Employee plate before the plate may be developed. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Retired Piedmont Airlines Employee plates to Piedmont Silver Eagles Charitable Funds, Inc., to be used for scholarships and family assistance for retired Piedmont Airlines employees and their families, including surviving spouses and dependents, suffering economic hardship.

(b113) S.T.A.R. – The Division must receive 300 or more applications for the S.T.A.R. plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of S.T.A.R. plates to Save the Animals Rescue, Inc., to provide funding to rescue distressed horses.

(b114) Support NC Education. – The Division must receive 300 or more applications for the Support NC Education plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Support NC Education plates to the Board of Governors of The University of North Carolina to be used to provide scholarship funding at the 16 constituent universities of The University of North Carolina.

(b115) Support Soccer. – The Division must receive 300 or more applications for the Support Soccer plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of Support Soccer plates to the North Carolina Soccer Hall of Fame, Inc., to provide funding to promote the sport of soccer in North Carolina.

(b116) Travel and Tourism. – The Division must receive 300 or more applications for the Travel and Tourism plate before the plate may be developed. The Division shall transfer quarterly the money in the Collegiate and Cultural

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Attraction Plate Account derived from the sale of Travel and Tourism plates to the Division of Tourism, Film, and Sports Development to be used for programs in support of travel and tourism in North Carolina.

(b117) United States Service Academy. – The Division, with the cooperation of each service academy, shall develop a special plate for each of the service academies. The Division must receive a combined total of 300 or more applications for all the plates authorized by this subsection before a specific service academy plate may be developed. Only graduates of the service academies may receive a special plate upon furnishing the Division proof of graduation. The Division must transfer quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the sale of United States Service Academy plates to NC Support Our Troops, Inc., to be used to provide support and assistance to the troops and their families."

**SECTION 8.** This act is effective when it becomes law.

Upon motion of Senator Hoyle, the rules are suspended and the conference report, which changes the title, is placed on today's Calendar.

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

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

House of Representatives  
July 10, 2010

Mr. 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. 1829** (Conference Report), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY.

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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, 2010

Mr. 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. 1973** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS.

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. 1165** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, for concurrence in the House Committee Substitute bill and House Amendment No. 1.

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Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill, as amended, is placed on today's Calendar.

**S.B. 1202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS, for concurrence in the House Committee Substitute bill, and House Amendments No. 1 and No. 2.

Upon motion of Senator Hoyle, the rules are suspended and the House Committee Substitute bill is placed on today's Calendar.

#### **CALENDAR** (*continued*)

**S.B. 1242** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Hartsell, the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

**S.B. 1165** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, placed earlier on today's Calendar for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hartsell, 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. 1202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS, placed earlier on today's Calendar for concurrence in the House Committee Substitute bill and House Amendments No 1 and No. 2.

Upon motion of Senator Garrou, the Senate fails to concur in the House Committee Substitute bill (12-32) and concurs in House Amendments No. 1 and No. 2.

Senator Garrou offers a motion that the Senate appoint conferees, which motion prevails.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**S.B. 1202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER

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**MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.**

Pursuant to the Senate having failed to concur in the House Committee Substitute bill for S.B. 1202 earlier today and the motion by Senator Garrou to appoint conferees having prevailed, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Garrou, Chair; Senator Albertson; Senator Dannelly; and Senator Swindell 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*)

**S.B. 1242** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS, temporarily displaced earlier today for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Hartsell, the Senate concurs in the House Committee Substitute bill No. 2 (44-0) and the bill is ordered enrolled and sent to the Governor by special message.

**H.B. 530** (Conference Report), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR ACTIVE AND RETIRED FEDERAL EMPLOYEES, ADOPTION WORKS, AMERICAN RED CROSS, ARMED FORCES EXPEDITIONARY MEDAL RECIPIENT, ARTS NC, BATTLE OF KINGS MOUNTAIN, BLUE KNIGHTS, BOY SCOUTS OF AMERICA, BRENNER CHILDREN'S HOSPITAL, CAROLINA RAPTOR CENTER, CAROLINA REGIONAL VOLLEYBALL ASSOCIATION, CAROLINA CREDIT UNION FOUNDATION, CAROLINAS GOLF ASSOCIATION, CHILDHOOD CANCER AWARENESS, CURESEARCH, DANIEL STOWE BOTANICAL GARDEN, DONATE LIFE, FARMLAND PRESERVATION, FIRST IN TURF, FRIENDS OF CAMP DANIEL BOONE, GIRL SCOUTS, GREEN INDUSTRY COUNCIL, HIGH POINT FURNITURE MARKET 100TH ANNIVERSARY, HOME OF AMERICAN GOLF, JAYCEES, LEGION OF MERIT, LIFETIME SPORTSMAN, MAYOR, MOUNTAINS-TO-SEA TRAIL, MUNICIPAL COUNCIL, NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL, NATIVE BROOK TROUT, NC BEEKEEPERS, NC CIVIL WAR, NC FISHERIES ASSOCIATION, NC HORSE COUNCIL, NC MINING, NC VETERINARY MEDICAL ASSOCIATION, NC WILDLIFE FEDERATION, NEUSE RIVER FOUNDATION, NORTH CAROLINA EMERGENCY MANAGEMENT ASSOCIATION, NORTH CAROLINA MASTER GARDENER, NORTH CAROLINA SENIOR GAMES, NORTH CAROLINA STATE FLAG, "OLD BALDY," OUTER BANKS PRESERVATION ASSOCIATION, PAMLICO-TAR RIVER FOUNDATION, P.E.O. SISTERHOOD, PHI BETA SIGMA FRATERNITY, RELAY FOR LIFE, RETIRED PIEDMONT AIRLINES EMPLOYEES, RETIRED

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LEGISLATORS, SCHOOL BOARD, SILVER STAR RECIPIENT/DISABLED VETERAN, SOCIAL WORKERS, S.T.A.R., SUPPORT NC EDUCATION, SUPPORT SOCCER, TOWN OF OAK ISLAND, TRAVEL AND TOURISM, UNITED STATES SERVICE ACADEMY, AND VICTORY JUNCTION GANG CAMP; MAKE CHANGES TO VARIOUS EXISTING PLATES, AND ESTABLISH AN EXPIRATION PERIOD FOR INACTIVE PLATES, placed earlier on today's Calendar, for adoption.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report (43-1).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

*The Chair grants leaves of absence for the remainder of today's session to Senator Dorsett, Senator Hunt, and Senator Rucho.*

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

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

House of Representatives  
July 10, 2010

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in the House Committee Substitute for **S.B. 1202**, A BILL TO BE ENTITLED AN ACT TO EXPAND MODELS OF COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS TO INCLUDE FIVE-YEAR CAREER ACADEMIES WITHIN EXISTING SCHOOLS AND TO REQUIRE THAT CAREER ACADEMIES APPROVED AS COOPERATIVE INNOVATIVE HIGH SCHOOLS NOT RECEIVE A SEPARATE SCHOOL CODE AND THAT RECORDS BE MAINTAINED FOR STUDENTS ENROLLED IN THE CAREER ACADEMIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION, and requests conferees, Speaker Hackney appoints:

Representative Michaux, Chair  
Representative Crawford,  
Representative Glazier, and  
Representative Dollar

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 MESSAGE FROM THE HOUSE OF REPRESENTATIVES**

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

House of Representatives  
July 10, 2010

Mr. 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. 1403** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

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

**CONFERENCE REPORT**

Senator Goss, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 961** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, submits for adoption the following report:

July 10, 2010

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 961, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITS ON THE TRADING OF INFLUENCE OR POSITION FOR GAIN; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY INCREASING THE REVOLVING DOOR APPLICABILITY; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING ACCESSIBILITY TO PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES; AND TO MAKE OTHER CHANGES, Senate Judiciary I Committee Substitute Adopted 7/2/10 Seventh Edition Engrossed 7/6/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute adopted 7/2/10, Seventh Edition Engrossed 7/6/10 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 H961-PCCS80658-ST-3.

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

Date Conferees approved report: July 10, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Martin L. Nesbitt, Jr., Chair	S/Rick Glazier, Chair
S/Steve Goss	S/Deborah K. Ross
S/Dan Blue	S/Grier Martin
S/Josh Stein	S/Melanie Wade Goodwin
S/Daniel G. Clodfelter	S/Larry D. Hall
S/Peter S. Brunstetter	S/Julia C. Howard
Jerry W. Tillman	S/Paul Stam
Phil Berger	S/Harold J. Brubaker

July 10, 2010

(The full text of the Conference Committee Substitute can be found in the 2010 Session Laws-Chapter 169.)

Upon motion of Senator Goss, the rules are suspended and the Conference Report, which changes the title, is placed on today's Calendar for immediate consideration.

Upon motion of Senator Goss, the Senate adopts the Conference Report (37-1).

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action.

### CONFERENCE REPORT

Senator Garrou, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS, 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 1202, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS, House Committee Substitute Favorable 7/9/2010, as amended by House Amendments #1, #2, and #3 Adopted 7/9/2010, submit the following report:

The House recesses from amendment #3.

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

Date Conferees approved report: July 10, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Linda Garrou, Chair	S/Henry M. Michaux, Jr., Chair
S/Charles W. Albertson	S/James W. Crawford, Jr.
S/Charlie Smith Dannelly	S/Rick Glazier
S/A. B. Swindell	Nelson Dollar

Upon motion of Senator Garrou, the rules are suspended and the Conference Report is placed on the Calendar for immediate consideration.

Upon motion of Senator Garrou, the Senate adopts the Conference Report (38-0).

July 10, 2010

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 10, 2010

Mr. 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. 455**, A BILL TO BE ENTITLED AN ACT DESIGNATING KIDNEY MONTH IN NORTH CAROLINA, and requests conferees.

Speaker Hackney has appointed:

Representative Luebke, Chair  
Representative Wainwright,  
Representative Weiss, and  
Representative Tillis

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 10, 2010

Mr. 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. 1765** (Conference Committee Substitute), AN ACT TO AUTHORIZE COALITIONS

July 10, 2010

OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY CERTAIN CONDITIONS ON INTERBASIN TRANSFERS; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

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

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**H.B. 455** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX.

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. 455 and requests conferees, Senator Dannelly, Deputy President *Pro Tempore*, announces the appointment of Senator Clodfelter, Chair, Senator Hoyle and Senator Jenkins 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 Chair grants leaves of absence for the remainder of today's session to Senator Allran, Senator Apodaca, Senator Brunstetter, Senator Forrester, Senator Hartsell, Senator Soles, and Senator Stevens.*

#### **VOICE VOTE ON BILLS**

Upon motion of Senator Hoyle and without objection, Senate Rule 25(b) is suspended that the votes on any questions that are not required by the Constitution of North Carolina that the ayes and noes are recorded upon the Journal, are by voice vote.

July 10, 2010

**CONFERENCE REPORT**

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 455** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX, 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 455, A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM; TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO CONTINUE ITS REVIEW OF LOCAL GOVERNMENT OWNED AND OPERATED COMMUNICATION SYSTEMS, AND TO CLARIFY A SELLER'S OBLIGATION WITH REGARD TO THE OVERCOLLECTION OF SALES AND USE TAX, Senate Finance Committee Substitute Adopted 7-9-10, submit the following report:

The House and Senate agree to the following amendments to the Senate Finance Committee Substitute, Senate Finance Committee Substitute Adopted 7-9-10, and the House concurs in the Senate Finance Committee Substitute as amended:

On page 1, lines 3 through 7, by rewriting the lines to read:  
"AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM.";

And on page 1, line 15, through page 2, line 37, by rewriting the lines to read:  
"**SECTION 2.** This act is effective when it becomes law."

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

Date Conferees approved report: July 10, 2010.

<i>Conferees for the Senate</i>	<i>Conferees for the House of Representatives</i>
S/Daniel G. Clodfelter, Chair	S/Paul Luebke, Chair
S/Clark Jenkins	S/William L. Wainwright
S/David W. Hoyle	S/Jennifer Weiss
	S/Thom Tillis

July 10, 2010

Upon motion of Senator Clodfelter, the rules are suspended and the Conference Report, which changes the title, is placed on the Calendar for immediate consideration.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report.

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 10, 2010

Mr. 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. 1202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

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 passed the conference report 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 10, 2010

Mr. 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. 961**

July 10, 2010

(Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CRIMINAL STATUTES ON SELF-DEALING; TO CREATE THE PUBLIC FUNDING OF COUNCIL OF STATE ELECTIONS COMMISSION; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES AND TO INFORMATION RELATED TO STATE CONTRACTS AND GRANTS; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY CHANGING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO CODIFY CERTAIN POSITIONS IN STATE GOVERNMENT AS A PUBLIC SERVANT UNDER THE STATE GOVERNMENT ETHICS ACT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS, INCLUDING CAMPAIGN CONTRIBUTIONS PRIOR TO APPOINTMENT; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO CLARIFY THE INDIRECT GIFT BAN AND CLARIFY REPORTING BY LOBBYIST PRINCIPALS; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING AND CLARIFYING ACCESSIBILITY TO LEGISLATIVE RECORDS AND OTHER PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES TO THE ETHICS LAW; AND TO EXPEDITE REVIEW OF PRELIMINARY INVESTIGATIONS OF ALLEGATIONS OF WRONGDOING UNDER CHAPTERS 120 AND 138A OF THE GENERAL STATUTES.

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, 2010

Mr. 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. 455**

July 10, 2010



(Conference Report), A BILL TO BE ENTITLED AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM.

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

### CONFERENCE REPORT

Senator Clodfelter, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 683** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009, 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 683, A BILL TO BE ENTITLED AN ACT EXTENDING THE SUNSET ON THE COLLECTION OF SERVICE CHARGES FOR PREPAID WIRELESS TELEPHONE SERVICE; AND TO AMEND THE PERMIT EXTENSIONS ACT OF 2009, Senate Rules and Operations of the Senate Committee Substitute Adopted 6/15/10, Third Edition Engrossed 6/23/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute Senate Rules and Operations of the Senate Committee Substitute Adopted 6/15/10 Third Edition Engrossed 6/23/10, 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.

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

Date Conferees approved report: July 9, 2010.

*Conferees for the Senate*  
S/Daniel G. Clodfelter  
Fletcher L. Hartsell, Jr.  
S/David W. Hoyle

*Conferees for the House of Representatives*  
S/Bruce Goforth  
S/Bill Owens

July 10, 2010

The text of the attached Proposed Conference Committee Substitute, H683-PCCS30556-TA-2 is as follows:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PERMIT EXTENSION ACT OF 2009.

The General Assembly of North Carolina enacts:

**SECTION 1.** S.L. 2009-406, as amended by Section 5.1 of S.L. 2009-484, Section 5.2 of S.L. 2009-550, and Sections 2 and 3 of S.L. 2009-572, reads as rewritten:

"**SECTION 1.** This act shall be known and may be cited as the "Permit Extension Act of 2009."

"**SECTION 2.** The General Assembly makes the following findings:

- (1) There exists a state of economic emergency in the State of North Carolina and the nation, which has drastically affected various segments of the North Carolina economy, but none as severely as the State's banking, real estate, and construction sectors.
- (2) The real estate finance sector of the economy is in severe decline due to the creation, bundling, and widespread selling of leveraged securities, such as credit default swaps, and due to excessive defaults on sub-prime mortgages and the resultant foreclosures on a vast scale, thereby widening the mortgage finance crisis. The extreme tightening of lending standards for home buyers and other real estate borrowers has reduced access to the capital markets.
- (3) As a result of the crisis in the real estate finance sector of the economy, real estate developers and redevelopers, including home builders, and commercial, office, and industrial developers, have experienced an industry-wide decline, including reduced demand, cancelled orders, declining sales and rentals, price reductions, increased inventory, fewer buyers who qualify to purchase homes, layoffs, and scaled back growth plans.
- (4) The process of obtaining planning board and zoning board of adjustment approvals for subdivisions, site plans, and variances can be difficult, time consuming, and expensive, both for private applicants and government bodies.
- (5) The process of obtaining the myriad of other government approvals, such as wetlands permits, treatment works approvals, on-site wastewater disposal permits, stream encroachment permits, flood hazard area permits, highway access permits, and numerous waivers and variances, can be difficult and expensive; further, changes in the law can render these approvals, if expired or lapsed, difficult to renew or reobtain.

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- (6) County and municipal governments, including local sewer and water authorities, obtain permits and approvals from State government agencies, particularly the Department of Environment and Natural Resources, which permits and approvals may expire or lapse due to the state of the economy and the inability of both the public sector and the private sector to proceed with projects authorized by the permit or approval.
- (7) County and municipal governments also obtain determinations of master plan consistency, conformance, or endorsement with State or regional plans, from State and regional government entities that may expire or lapse without implementation due to the state of the economy.
- (8) The current national recession has severely weakened the building industry, and many landowners and developers are seeing their life's work destroyed by the lack of credit and dearth of buyers and tenants due to the crisis in real estate financing and the building industry, uncertainty over the state of the economy, and increasing levels of unemployment in the construction industry.
- (9) The construction industry and related trades are sustaining severe economic losses, and the lapsing of government development approvals would exacerbate, if not addressed, those losses.
- (10) Financial institutions that lent money to property owners, builders, and developers are experiencing erosion of collateral and depreciation of their assets as permits and approvals expire, and the extension of these permits and approvals is necessary to maintain the value of the collateral and the solvency of financial institutions throughout the State.
- (11) Due to the current inability of builders and their purchasers to obtain financing under existing economic conditions, more and more once-approved permits are expiring or lapsing, and, as these approvals lapse, lenders must reappraise and thereafter substantially lower real estate valuations established in conjunction with approved projects, thereby requiring the reclassification of numerous loans, which, in turn, affects the stability of the banking system and reduces the funds available for future lending, thus creating more severe restrictions on credit and leading to a vicious cycle of default.
- (12) As a result of the continued downturn of the economy and the continued expiration of approvals that were granted by State and local governments, it is possible that thousands of government actions will be undone by the passage of time.

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- (13) Obtaining an extension of an approval pursuant to existing statutory or regulatory provisions can be both costly in terms of time and financial resources and insufficient to cope with the extent of the present financial conditions; moreover, the costs imposed fall on the public as well as the private sector.
- (14) It is the purpose of this act to prevent the wholesale abandonment of already approved projects and activities due to the present unfavorable economic conditions by tolling the term of these approvals for a finite period of time as the economy improves, thereby preventing a waste of public and private resources.

**"SECTION 3. Definitions.** – As used in this act, the following definitions apply:

- (1) Development approval. – Any of the following approvals issued by the State, any agency or subdivision of the State, or any unit of local government, regardless of the form of the approval, that are for the development of land or for the provision of water or wastewater services by a government entity:
  - a. Any detailed statement by a State agency under G.S. 113A-4.
  - b. Any detailed statement submitted by a special purpose unit of government or a private developer of a major development project under G.S. 113A-8.
  - c. Any finding of no significant impact prepared by a State agency under Article 1 of Chapter 113A of the General Statutes.
  - d. Any approval of an erosion and sedimentation control plan granted by a local government or by the North Carolina Sedimentation Control Commission under Article 4 of Chapter 113A of the General Statutes.
  - e. Any permit for major development or minor development, as defined in G.S. 113A-118, or any other permit issued under the Coastal Area Management Act (CAMA), Part 4 of Article 7 of Chapter 113A of the General Statutes.
  - f. Any water or wastewater permit issued under Article 10 or Article 11 of Chapter 130A of the General Statutes.
  - g. Any building permit issued under Article 9 of Chapter 143 of the General Statutes.
  - h. Any nondischarge or extension permit issued under Part 1 of Article 21 of Chapter 143 of the General Statutes.

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- i. Any stream origination certifications issued under Article 21 of Chapter 143 of the General Statutes.
  - j. Any water quality certification under Article 21 of Chapter 143 of the General Statutes.
  - k. Any air quality permit issued by the Environmental Management Commission under Article 21B of Chapter 143 of the General Statutes.
  - l. Any approval by a county of sketch plans, preliminary plats, plats regarding a subdivision of land, a site specific development plan or a phased development plan, a development permit, a development agreement, or a building permit under Article 18 of Chapter 153A of the General Statutes.
  - m. Any approval by a city of sketch plans, preliminary plats, plats regarding a subdivision of land, a site specific development plan or a phased development plan, a development permit, a development agreement, or a building permit under Article 19 of Chapter 160A of the General Statutes.
  - n. Any certificate of appropriateness issued by a preservation commission of a city under Part 3C of Article 19 of Chapter 160A of the General Statutes.
- (2) Development. – The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure or facility, or any grading, soil removal or relocation, excavation or landfill, or any use or change in the use of any building or other structure or land or extension of the use of land.

"**SECTION 4.** For any development approval that is current and valid at any point during the period beginning January 1, 2008, and ending December 31, 2010, the running of the period of the development approval and any associated vested right under G.S. 153A-344.1 or G.S. 160A-385.1 is suspended during the period beginning January 1, 2008, and ending December 31, ~~2010-2011.~~

"**SECTION 4.1.** A unit of local government may by resolution provide that S.L. 2009-406, as amended by Section 5.1 of S.L. 2009-484, Section 5.2 of S.L. 2009-550, Sections 2 and 3 of S.L. 2009-572, and by this act, shall not apply to a development approval issued by that unit of local government. A development approval issued by a unit of local government that opts out pursuant to this

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section shall expire as it was scheduled to expire pursuant to S.L. 2009-406, as amended by Section 5.1 of S.L. 2009-484, Section 5.2 of S.L. 2009-550, and Sections 2 and 3 of S.L. 2009-572 prior to the enactment of this act.

"SECTION 5. This act shall not be construed or implemented to:

- (1) Extend any permit or approval issued by the United States or any of its agencies or instrumentalities.
- (2) Extend any permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law.
- (3) Shorten the duration that any development approval would have had in the absence of this act.
- (4) Prohibit the granting of such additional extensions as are provided by law.
- (5) Affect any administrative consent order issued by the Department of Environment and Natural Resources in effect or issued at any time from the effective date of this act to December 31, ~~2010~~2011.
- (6) Affect the ability of a government entity to revoke or modify a development approval or to accept voluntary relinquishment of a development approval by the holder of the development approval pursuant to law.
- (7) Modify any requirement of law that is necessary to retain federal delegation by the State of the authority to implement a federal law or program.
- (8) Modify any person's obligations or impair the rights of any party under contract, including bond or other similar undertaking.
- (9) Authorize the charging of a water or wastewater tap fee that has been previously paid in full for a project subject to a development approval.

"SECTION 5.1.(a) This act does not revive a vested right to the water or sewer allocation associated with a development approval that expired between January 1, 2008, and August 5, 2009, and is revived by the operation of this act if both of the following conditions are met:

- (1) The water or sewer capacity was reallocated to other development projects prior to August 5, 2009, based upon the expiration of the development approval.
- (2) There is not sufficient supply or treatment capacity to accommodate the project that is the subject of the revived development approval.

"SECTION 5.1.(b) A person whose development approval is revived under this act but whose water or sewer allocation is not revived under this section must be given first priority if additional supply or treatment capacity becomes available.

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"SECTION 5.2.(a) This section applies only to Union County.

"SECTION 5.2.(b) When a development approval that is contingent upon connection to a water supply system or a sanitary sewer system is suspended under Section 4 of this act and there is not sufficient supply or treatment capacity to accommodate requests for additional allocation, the local government that granted the allocation may reallocate ~~reserved~~-requested capacity from projects whose approvals are suspended but are not ready to proceed, if the local government meets all of the following requirements:

- (1) Establishes an allocation plan for existing capacity that determines actual capacity and provides for a fair and equitable process to distribute the remaining capacity.
- (2) Establishes a reallocation plan to meet requests for capacity above permitted capacity that is fair and equitable and requires the following:
  - a. That an applicant for a new or additional allocation demonstrate the ability to begin construction.
  - b. That the holder of a development permit suspended under Section 4 of this act demonstrate the ability or intent to begin construction in no less than 120 days in order to retain the reserved capacity.
- (3) Does not reallocate capacity to exceed the amount of the reserved capacity.

"SECTION 5.2.(c) This act does not reduce the original period of a development permit.

"SECTION 6. Within 30 days after the effective date of this act, each agency or subdivision of the State to which this act applies shall place a notice in the North Carolina Register listing the types of development approvals that the agency or subdivision issues and noting the extension provided in this act. This section does not apply to units of local government.

"SECTION 7. The provisions of this act shall be liberally construed to effectuate the purposes of this act.

"SECTION 7.1. Conditions for qualification; termination; right of appeal.

(a) For any development approval extended by S.L. 2009-406, as amended by Section 5.1 of S.L. 2009-484, Section 5.2 of S.L. 2009-550, Sections 2 and 3 of S.L. 2009-572, and by this act, the holder of the development approval shall:

- (1) Comply with all applicable laws, regulations, and policies in effect at the time the development approval was originally issued by the governmental entity.
- (2) Maintain all performance guarantees that are imposed as a condition of the initial development approval for the duration of the period the development approval is extended or until affirmatively released from that obligation by the issuing governmental entity.

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(3) Complete any infrastructure necessary in order to obtain a certificate of occupancy or other final permit approval from the issuing governmental entity.

(b) Failure to comply with any condition in this section may result in termination of the extension of the development approval by the issuing governmental entity. In the event of a termination of the extension of a development approval, the issuing governmental entity shall provide written notice to the last known address of the original holder of the development approval of the termination of the extension of the development approval, including the reason for the termination.

(c) Termination of an extension of a development approval shall be subject to appeal to the Board of Adjustment under the requirements set forth in law if the development approval was issued by a unit of local government with planning authority under Article 18 of Chapter 153A or Article 19 of Chapter 160A of the General Statutes.

"SECTION 8. This act is effective when it becomes law."

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

Upon motion of Senator Hoyle, the rules are suspended and the Conference Report, which changes the title, is placed on today's Calendar for immediate consideration.

Upon motion of Senator Clodfelter, the Senate adopts the Conference Report.

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 10, 2010

Mr. 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. 683** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PERMIT EXTENSION ACT OF 2009.

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 10, 2010



**ENROLLED BILLS AND RESOLUTIONS**

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

**S.B. 778**, AN ACT TO PROVIDE THAT AN ENVIRONMENTAL DOCUMENT UNDER THE STATE ENVIRONMENTAL POLICY ACT IS NOT REQUIRED IN CONNECTION WITH PROJECTS THAT RECEIVE PUBLIC MONIES IN THE FORM OF CERTAIN ECONOMIC INCENTIVES PAYMENTS.

**S.B. 900**, AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS.

**S.B. 1171**, AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS; TO MODIFY ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT; AND TO MODIFY THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF COMMERCE MAY EXTEND THE BASE PERIOD FOR A JDIG GRANT.

**S.B. 1400**, AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY.

**H.B. 713**, AN ACT TO PROVIDE THAT THE ADDITION TO FEDERAL TAXABLE INCOME OF AMOUNTS ALLOWED AS A CREDIT AGAINST NORTH CAROLINA INCOME DOES NOT APPLY TO THE FILM CREDIT AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA.

**H.B. 1099**, AN ACT TO CLARIFY THE EFFECTIVE DATE OF A PROVISION LIMITING THE APPLICABILITY OF THE STATE ENVIRONMENTAL POLICY ACT TO PROJECTS RECEIVING ECONOMIC INCENTIVE PAYMENTS.

**H.B. 1398**, AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT.

**H.B. 1766**, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF

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THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (14) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (15) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (16) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF

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DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (17) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (18) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (19) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (20) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (21) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND (22) CLARIFY THE SCOPE OF RESEARCH FOR THE COASTAL WAVE ENERGY RESEARCH AND PROTOTYPE PROJECT AUTHORIZED IN THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2010; AND (23) TO AMEND THE NC SUSTAINABLE COMMUNITIES TASK FORCE.

**H.B. 1829**, AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY.

**H.B. 1973**, AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING REQUESTS FOR PROPOSALS FOR STATE CONTRACTS.

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

**S.B. 1444**, AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND TO

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AUTHORIZE THE CITY OF KANNAPOLIS TO DEANNEX PROPERTY FOR THE BENEFIT OF THE PUBLIC HEALTH AUTHORITY OF CABARRUS COUNTY.

**H.B. 1670**, 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 AND TO FILL AN UNEXPIRED TERM OF A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY LEADER OF THE SENATE.

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

**S.B. 1165**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS.

**S.B. 1202**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS.

**S.B. 1242**, AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS.

**H.B. 455**, AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM.

**H.B. 683**, AN ACT TO AMEND THE PERMIT EXTENSION ACT OF 2009.

**H.B. 748**, AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES; TO REPEAL THE UNCONSTITUTIONAL BAN ON CORPORATE INDEPENDENT

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EXPENDITURES; TO REQUIRE DISCLOSURES ON ELECTIONEERING COMMUNICATION ADVERTISEMENTS; AND TO CLARIFY NO WRITE-IN CANDIDATES ON A NONPARTISAN RUNOFF ELECTION BALLOT.

**H.B. 961**, AN ACT TO CLARIFY THE CRIMINAL STATUTES ON SELF-DEALING; TO CREATE THE PUBLIC FUNDING OF COUNCIL OF STATE ELECTIONS COMMISSION; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES AND TO INFORMATION RELATED TO STATE CONTRACTS AND GRANTS; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY CHANGING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO CODIFY CERTAIN POSITIONS IN STATE GOVERNMENT AS A PUBLIC SERVANT UNDER THE STATE GOVERNMENT ETHICS ACT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS, INCLUDING CAMPAIGN CONTRIBUTIONS PRIOR TO APPOINTMENT; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO CLARIFY THE INDIRECT GIFT BAN AND CLARIFY REPORTING BY LOBBYIST PRINCIPALS; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING AND CLARIFYING ACCESSIBILITY TO LEGISLATIVE RECORDS AND OTHER PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES TO THE ETHICS LAW; AND TO EXPEDITE REVIEW OF PRELIMINARY INVESTIGATIONS OF ALLEGATIONS OF WRONGDOING UNDER CHAPTERS 120 AND 138A OF THE GENERAL STATUTES.

**H.B. 1403**, AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

**H.B. 1765**, AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY CERTAIN CONDITIONS ON INTERBASIN TRANSFERS; AND TO

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PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER.

#### 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. 1444**, AN ACT TO AUTHORIZE THE CITIES OF CONCORD AND KANNAPOLIS TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND TO AUTHORIZE THE CITY OF KANNAPOLIS TO DEANNEX PROPERTY FOR THE BENEFIT OF THE PUBLIC HEALTH AUTHORITY OF CABARRUS COUNTY. (Became law upon ratification, July 10, 2010 - S.L. 2010-86.)

**H.B. 1670**, 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 AND TO FILL AN UNEXPIRED TERM OF A MEMBER OF THE BOARD OF DIRECTORS FOR THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN, INC., UPON THE RECOMMENDATION OF THE MAJORITY LEADER OF THE SENATE. (Became law upon ratification, July 10, 2010 - S.L. 2010-87.)

#### 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. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 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 10, 2010

Mr. 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

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business before it and stands ready to adjourn sine die pursuant to **S.J.R. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 REGULAR SESSION OF THE GENERAL ASSEMBLY.

Respectfully,  
S/Denise Weeks  
Principal Clerk

Senator Basnight offers a motion pursuant to **S.J.R. 1462**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2009 REGULAR SESSION OF THE GENERAL ASSEMBLY, that the Senate adjourn *sine die*, seconded by Senator Hoyle, 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*.

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*.

The motion heretofore offered by Senator Basnight and seconded by Senator Hoyle having prevailed, the Chair declares the Senate of the 2009 General Assembly adjourned at 5:33 A.M., *sine die*.

WALTER DALTON  
President of the Senate

JANET B. PRUITT  
*Principal Clerk*

July 10, 2010





**ADDENDUM**

**SENATE JOURNAL**

**2009 SESSION**

**SECOND SESSION**

**2010**





**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 law 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 2010 Session adjourned on July 10:

**H.B. 1692**, AN ACT TO REQUIRE THE DIVISION OF MEDICAL ASSISTANCE AND THE DIVISION OF PUBLIC HEALTH, IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO EXPLORE ISSUES RELATED TO PROVIDING DENTAL SERVICES TO THE SPECIAL NEEDS POPULATION. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-88.)

**H.B. 713**, AN ACT TO PROVIDE THAT THE ADDITION TO FEDERAL TAXABLE INCOME OF AMOUNTS ALLOWED AS A CREDIT AGAINST NORTH CAROLINA INCOME DOES NOT APPLY TO THE FILM CREDIT AND TO INCREASE THE PERIOD OF TIME FOR WHICH THE SECRETARY OF REVENUE MAY ALLOW A CORPORATION TO USE AN ALTERNATIVE APPORTIONMENT FORMULA. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-89.)

**S.B. 567**, AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-90.)

**S.B. 1171**, AN ACT TO MODIFY ELIGIBILITY FOR ECONOMIC INCENTIVE SALES AND USE TAX EXEMPTIONS AND REFUNDS; TO MODIFY ELIGIBILITY FOR THE ONE PERCENT PRIVILEGE TAX ON DATACENTER MACHINERY AND EQUIPMENT; AND TO MODIFY THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF COMMERCE MAY EXTEND THE BASE PERIOD FOR A JDIG GRANT. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-91.)

**H.B. 1693**, AN ACT TO DIRECT THE NORTH CAROLINA AREA HEALTH EDUCATION CENTERS (AHEC) PROGRAM TO COORDINATE WORKFORCE DEVELOPMENT EFFORTS TO INCREASE THE NUMBER OF DENTAL CARE PROVIDERS SERVING THE SPECIAL NEEDS POPULATION. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-92.)

**H.B. 1703**, AN ACT TO DIRECT THE DIVISION OF AGING AND ADULT SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO STUDY THE ISSUE OF CRIMINAL HISTORY RECORD CHECKS FOR CURRENT AND PROSPECTIVE OWNERS, OPERATORS, AND VOLUNTEERS OF ADULT DAY CARE PROGRAMS AND ADULT

DAY HEALTH SERVICES PROGRAMS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 11, 2010 - S.L. 2010-93.)

**H.B. 1403**, AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION. (Became law upon approval of the Governor, July 15, 2010 - S.L. 2010-94.)

**S.B. 1177**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. (Became law upon approval of the Governor, July 17, 2010 - S.L. 2010-95.)

**S.B. 1165**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE VARIOUS OTHER TECHNICAL CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-96.)

**S.B. 1242**, AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND THE SESSION LAWS. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-97.)

**S.B. 1210**, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS TO INCREASE LICENSURE FEES UNDER THE ATHLETIC TRAINERS LICENSING ACT. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-98.)

**H.B. 666**, AN ACT TO PERMIT LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO PAY BILLS, INVOICES, SALARIES, OR OTHER CLAIMS BY ELECTRONIC PAYMENT OR ELECTRONIC FUNDS TRANSFER. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-99.)

**H.B. 1136**, AN ACT TO PERMIT THE PERSONAL REPRESENTATIVE OF A DECEASED CANDIDATE WHO DID NOT FILE A WRITTEN DESIGNATION PRIOR TO DEATH TO FILE SUCH WRITTEN DESIGNATION WITHIN NINETY DAYS OF DEATH. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-100.)

**H.B. 1905**, AN ACT TO AMEND THE FIRE-SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT, AS RECOMMENDED BY THE PUBLIC HEALTH STUDY COMMISSION. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-101.)

**S.B. 18**, AN ACT TO AMEND THE NORTH CAROLINA CEMETERY ACT BY REQUIRING PROOF OF A SUFFICIENT TRUST FUND OR SURETY BOND PRIOR TO APPROVING A CHANGE OF CONTROL OF A CEMETERY COMPANY, CHANGING THE INVESTMENTS OPTIONS FOR PERPETUAL CARE TRUST FUNDS, REQUIRING CEMETERY COMPANIES TO LIST THE COST OF OPENING AND CLOSING A GRAVE SPACE AS PART OF THE CONTRACT, PROHIBITING A CEMETERY COMPANY FROM REQUIRING A PURCHASER OF A GRAVE SPACE TO PURCHASE A VAULT FROM A PARTICULAR SELLER, INCREASING THE EXTENSION THAT MAY BE GIVEN TO A CEMETERY COMPANY FOR COMPLETION OF CONSTRUCTION OF MAUSOLEUMS, AND CREATING THE LEGISLATIVE STUDY COMMISSION ON THE NORTH CAROLINA CEMETERY ACT. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-102.)

**H.B. 80**, AN ACT TO BAN THE USE OF ELECTRONIC MACHINES AND DEVICES FOR SWEEPSTAKES PURPOSES. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-103.)

**H.B. 859**, AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-104.)

**H.B. 1398**, AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-105.)

**H.B. 1762**, AN ACT TO REQUEST THAT THE NORTH CAROLINA SUPREME COURT ESTABLISH MINIMUM STANDARDS OF DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR DISTRICT COURT JUDGES, AND TO ENCOURAGE THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF GOVERNMENT TO PROVIDE DOMESTIC VIOLENCE EDUCATION AND TRAINING FOR JUDGES AND MAGISTRATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-106.)

**H.B. 1115**, AN ACT TO AUTHORIZE ELECTRONIC NOTIFICATION TO THE MEDIA WHENEVER THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION IS CONSIDERING PAROLE FOR A PERSON SERVING A LIFE SENTENCE. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-107.)

**H.B. 1260**, AN ACT TO PROVIDE THAT A PERSON CONVICTED ONLY OF A SINGLE NONVIOLENT FELONY AND NO VIOLENT MISDEMEANORS AND WHOSE CITIZENSHIP RIGHTS HAVE BEEN RESTORED FOR A PERIOD OF AT LEAST TWENTY YEARS MAY PETITION THE COURT TO RESTORE THE PERSON'S FIREARMS RIGHTS IN THIS STATE SO THAT THE DISENTITLEMENT UNDER THE FELONY FIREARMS ACT DOES NOT APPLY AND ALSO TO AMEND THE FELONY FIREARMS ACT TO ALLOW EXCEPTIONS FOR CERTAIN WHITE COLLAR CRIME CONVICTIONS THAT ARE SIMILAR TO THE EXCEPTIONS ALLOWED UNDER FEDERAL LAW. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-108.)

**S.B. 1323**, AN ACT TO AMEND THE NUMBER AND COMPOSITION OF THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE STATE EDUCATION ASSISTANCE AUTHORITY, AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON STATE-FUNDED STUDENT FINANCIAL AID. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-109.)

**H.B. 1669**, AN ACT TO REQUIRE SCHOOL IMPROVEMENT TEAMS TO USE EVAAS OR A COMPATIBLE AND COMPARABLE SYSTEM APPROVED BY THE STATE BOARD OF EDUCATION TO COLLECT DIAGNOSTIC INFORMATION ON STUDENTS AND TO USE THAT INFORMATION TO IMPROVE STUDENT ACHIEVEMENT. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-110.)

**S.B. 1246**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A GROWTH MODEL FOR ESTABLISHING SHORT-TERM ANNUAL GOALS FOR IMPROVING THE FOUR-YEAR COHORT GRADUATION RATE, TO ESTABLISH A LONG-TERM GOAL OF INCREASING THE STATEWIDE FOUR-YEAR COHORT GRADUATION RATE, AND TO ALLOW MILITARY DEPENDANTS WHOSE PARENTS ARE DEPLOYED TO ATTEND SCHOOL BEFORE THE AGE OF FIVE IN NORTH CAROLINA IF ELIGIBLE IN THE STATE WHERE THE CHILD'S PARENT IS PERMANENTLY STATIONED. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-111.)

**H.B. 357**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS AND TO DIRECT PUBLIC SCHOOLS TO INSTRUCT STUDENTS ON THE SIGNIFICANCE OF MEMORIAL DAY. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-112.)



**S.B. 740**, AN ACT TO GIVE COMMUNITY COLLEGE BOARDS ADDITIONAL FLEXIBILITY IN SETTING THE SALARY OF COMMUNITY COLLEGE PRESIDENTS. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-113.)

**H.B. 593**, AN ACT TO MODIFY THE SCHOOL CALENDAR LAW REGARDING WAIVERS FOR GOOD CAUSE DUE TO INCLEMENT WEATHER OR EMERGENCY CONDITIONS, AND TO LIMIT THE USE OF PUBLIC FUNDS BY COUNTIES, MUNICIPALITIES, AND LOCAL BOARDS OF EDUCATION TO ENDORSE OR OPPOSE A REFERENDUM, ELECTION, OR CANDIDATE FOR OFFICE. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-114.)

**S.B. 1152**, AN ACT AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY INDIRECT COSTS UNDER CHILD NUTRITION PROGRAMS. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-115.)

**H.B. 1463**, 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 UPON THE CONSENT OF THE PARTIES, AND ALLOWING 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. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-116.)

**H.B. 1726**, AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS FOR CHILD CARE FACILITIES, TO DIRECT THE DIVISION OF CHILD DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF PUBLIC HEALTH TO WORK WITH OTHER ENTITIES TO EXAMINE AND MAKE RECOMMENDATIONS FOR IMPROVING NUTRITION STANDARDS IN CHILD CARE FACILITIES. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-117.)

**S.B. 765**, AN ACT TO AMEND THE GENERAL STATUTES WITH RESPECT TO COMMUNITY THIRD PARTY TRUSTS AND MEDICAID POOLED TRUSTS, AND TO PROVIDE FOR MEDICAID

REIMBURSEMENT IN CERTAIN CIRCUMSTANCES. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-118.)

**S.B. 1309**, AN ACT TO AUTHORIZE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO WAIVE TEMPORARILY CERTAIN REQUIREMENTS OF THE MENTAL HEALTH COMMITMENT STATUTES FOR PARTICIPANTS IN THE FIRST EVALUATION PILOT PROGRAM AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY CERTAIN ISSUES RELATING TO THE PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-119.)

**S.B. 1392**, AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-120.)

**H.B. 1705**, AN ACT TO REQUIRE THE HEARING AID DEALERS AND FITTERS BOARD TO COORDINATE A TASK FORCE THAT WILL DEVELOP GUIDELINES FOR CONSUMERS TO USE WHEN PURCHASING A HEARING AID, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING. (Became law upon approval of the Governor, July 20, 2010 - S.L. 2010-121.)

**H.B. 1717**, AN ACT TO MODERNIZE THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL SYSTEM, TO ENSURE THE INTEGRITY OF THE THREE-TIER SYSTEM, TO REQUIRE MINIMUM AGE STANDARDS FOR LAW ENFORCEMENT, AND TO REQUIRE THAT THE CITY OF KANNAPOLIS, THE CITY OF SALISBURY, AND ROWAN COUNTY HAVE EQUAL REPRESENTATION ON THE ROWAN/KANNAPOLIS ABC BOARD. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-122.)

**S.B. 1202**, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-123.)

**H.B. 2066**, AN ACT TO AUTHORIZE THE CREATION OF SPECIAL RETIREMENT ALLOWANCES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-124.)

**H.B. 1936**, AN ACT TO REMOVE THE SUNSET ON THE AUTHORIZATION TO SELL, THROUGH A PRIVATE SALE, LOCAL GOVERNMENT BONDS THAT ARE EITHER NOT RATED OR RATED BELOW "AA," SO AS TO CONTINUE TO TAKE ADVANTAGE OF THE FEDERAL "BUILD AMERICA BONDS" PROGRAM. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-125.)

**S.B. 1176**, AN ACT TO CONSTRUE CERTAIN FORMULA CLAUSES THAT REFER TO FEDERAL ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAWS. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-126.)

**H.B. 1741**, AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REGISTER ANIMAL SHELTERS UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT FOR THE LIMITED PURPOSE OF OBTAINING, POSSESSING, AND USING DRUGS FOR ANIMAL EUTHANASIA, TO AUTHORIZE CERTIFIED EUTHANASIA TECHNICIANS TO ADMINISTER THESE DRUGS TO EUTHANIZE DOGS AND CATS ON THE PREMISES OF THE ANIMAL SHELTER, AND TO GIVE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES EXPLICIT AUTHORIZATION TO REJECT CERTIFICATION OF OR TO DECERTIFY A EUTHANASIA TECHNICIAN FOR CERTAIN FELONY CONVICTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-127.)

**S.B. 354**, AN ACT TO PERMIT CONTINUING CARE RETIREMENT COMMUNITIES TO PROVIDE OR ARRANGE FOR HOME CARE SERVICES WITHOUT PROVIDING LODGING WHEN THOSE SERVICES ARE PROVIDED ADJUNCT TO A CONTRACT FOR CONTINUING CARE AND TO REQUIRE THE DEPARTMENT OF INSURANCE AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATED TO CONTINUING CARE RETIREMENT COMMUNITIES PROVIDING HOME CARE SERVICES WITHOUT PROVIDING LODGING. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-128.)

**S.B. 1214**, AN ACT TO MAKE CHANGES TO SPECIFIED DEFINITIONS THAT AFFECT THE APPLICABILITY OF STATE LAW CONCERNING MOTOR CARRIERS, IN ORDER TO COMPLY WITH FEDERAL MOTOR CARRIER ENFORCEMENT REGULATIONS AND MAINTAIN FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FUNDING FOR THE STATE HIGHWAY PATROL'S MOTOR CARRIER SECTION; TO PROVIDE THAT THE AUTHORITY OF LAW ENFORCEMENT TO SEIZE AND DETAIN A PROPERTY-HAULING VEHICLE PURSUANT TO G.S. 20-96 IS NOT AFFECTED BY A STATUTE

OF LIMITATIONS; TO REQUIRE A PROPERTY-HAULING VEHICLE BE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWED IN ORDER FOR THE VEHICLE TO BE ELIGIBLE FOR CERTAIN WEIGHT EXEMPTIONS IN G.S. 20-118; TO MAKE CHANGES TO THE ESTABLISHMENT, USE, AND REPORTING OF VEHICLE ESCORT FEES; TO ESTABLISH A THREE-YEAR STATUTE OF LIMITATIONS FOR ACTIONS RELATED TO CIVIL PENALTIES, CIVIL ASSESSMENTS, OR CIVIL FINES IMPOSED UNDER CHAPTER 20 OF THE GENERAL STATUTES, THE MOTOR VEHICLE LAWS OF THE STATE; AND TO ALLOW LOCAL GOVERNMENTS TO REFUND SPECIFIED UNUSED ASSESSMENTS. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-129.)

**S.B. 655**, AN ACT TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-130.)

**S.B. 181**, AN ACT TO INCREASE THE AGE CAP OF PERSONS RECEIVING AN EIGHT-YEAR DRIVERS LICENSE. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-131.)

**H.B. 1729**, AN ACT TO MAKE VARIOUS CHANGES TO THE MOTOR VEHICLE LAWS. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-132.)

**H.B. 1685**, AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING COLLECTION AND ENFORCEMENT OF TOLLS BY THE NORTH CAROLINA TURNPIKE AUTHORITY. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-133.)

**S.B. 1136**, AN ACT TO STRENGTHEN THE REGULATION OF THE TOWING OF VEHICLES FROM PRIVATE LOTS IN CERTAIN COUNTIES AND CITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-134.)

**H.B. 1812**, AN ACT TO ENSURE THAT A COURT, WHEN CONSIDERING PRETRIAL RELEASE UNDER THE DOMESTIC VIOLENCE CRIMES STATUTE, CONSIDERS THE DEFENDANT'S CRIMINAL RECORD, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-135.)

**S.B. 1251**, AN ACT TO GRANT THE SAME HEALTH BENEFIT COVERAGE CURRENTLY PROVIDED TO OTHER STATE EMPLOYEES TO TEACHERS WHO HAVE WORKED A FULL SCHOOL YEAR AND TO NOT PROVIDE NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE TO FORMER STATE EMPLOYEES WHO ARE PROVIDED NON-CONTRIBUTORY HEALTH BENEFIT COVERAGE BY A SUBSEQUENT EMPLOYER. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-136.)

**S.B. 1256**, AN ACT TO AUTHORIZE BREVARD ACADEMY, AN EXISTING CHARTER SCHOOL, TO ELECT TO PARTICIPATE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-137.)

**H.B. 144**, AN ACT TO PROHIBIT HEALTH BENEFIT PLANS AND INSURERS FROM LIMITING OR FIXING THE FEE A DENTIST MAY CHARGE PATIENTS FOR SERVICES UNLESS THE SERVICES ARE COVERED FOR REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE DENTIST. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-138.)

**H.B. 213**, AN ACT TO REQUIRE THE ADOPTION OF RULES AND POLICIES FOR THE VOLUNTARY SHARED LEAVE PROGRAM THAT WILL PERMIT THE DONATION OF SICK LEAVE TO A NONFAMILY MEMBER RECIPIENT FOR STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT AND FOR PUBLIC SCHOOL EMPLOYEES, AND TO REQUIRE THE STATE PERSONNEL COMMISSION, THE STATE BOARD OF EDUCATION, AND THE STATE BOARD OF COMMUNITY COLLEGES TO MAKE AN ANNUAL REPORT ON THE VOLUNTARY SHARED LEAVE PROGRAM. (Became law upon approval of the Governor, July 21, 2010 - S.L. 2010-139.)

**H.B. 1249**, AN ACT TO MODIFY THE INVENTORY PROPERTY TAX DEFERRAL. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-140.)

**S.B. 829**, AN ACT TO REGULATE REAL ESTATE APPRAISAL MANAGEMENT COMPANIES. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-141.)

**H.B. 1802**, AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATED TO THE ENVIRONMENT, ENERGY, AND NATURAL RESOURCES, AS

RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.  
(Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-142.)

**H.B. 1743**, AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DEVELOP BASINWIDE HYDROLOGIC MODELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-143.)

**H.B. 1746**, AN ACT TO: (1) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN CONJUNCTION WITH OTHER INTERESTED PARTIES, TO ESTABLISH A TASK FORCE TO DEVELOP A STATEWIDE SURVEY TO SUPPLEMENT THE CURRENT INFORMATION USED TO ASSESS THE STATE'S WATER AND WASTEWATER INFRASTRUCTURE NEEDS, DEVELOP A PLAN FOR INCORPORATING THE INFORMATION COMPILED FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SURVEY INTO THE STATE WATER SUPPLY PLAN, AND DEVELOP RECOMMENDATIONS REGARDING A STATEWIDE WATER AND WASTEWATER INFRASTRUCTURE RESOURCE AND FUNDING DATABASE; AND (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE LOCAL GOVERNMENT COMMISSION OF THE DEPARTMENT OF STATE TREASURER TO JOINTLY EVALUATE THE POTENTIAL BENEFITS OF MONITORING THE FINANCIAL CONDITION OF PUBLIC WATER SYSTEMS AND WASTEWATER SYSTEMS, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-144.)

**H.B. 1714**, AN ACT TO DIRECT THE MARINE FISHERIES COMMISSION TO ADOPT RULES RELATED TO THE SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES AND TO MAKE CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-145.)

**H.B. 617**, AN ACT TO ALLOW ALL-TERRAIN VEHICLES TO BE USED BY DISABLED SPORTSMEN TO CROSS PUBLIC ROADWAYS. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-146.)

**H.B. 1973**, AN ACT TO MODIFY EXISTING ECONOMIC DEVELOPMENT INCENTIVES AND TO INCENT NEW ECONOMIC DEVELOPMENT OPPORTUNITIES; TO PROVIDE FUNDING FOR THE DNA DATABASE AND DATABANK; AND TO ENCOURAGE THE USE OF MULTIPLE AWARD SCHEDULE CONTRACTS WHEN ISSUING

REQUESTS FOR PROPOSALS FOR STATE CONTRACTS. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-147.)

**H.B. 1035**, AN ACT TO INCREASE THE PERFORMANCE AND PAYMENT BONDING REQUIREMENT FOR CONSTRUCTION PROJECT CONTRACTS AWARDED BY STATE DEPARTMENTS, STATE AGENCIES, AND THE UNIVERSITY OF NORTH CAROLINA THAT EXCEED FIVE HUNDRED THOUSAND DOLLARS. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-148.)

**H.B. 1748**, AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO: (1) CONTINUE TO WORK WITH THE NORTH CAROLINA FARM BUREAU FEDERATION, OTHER AGRICULTURAL ORGANIZATIONS, AND FARMERS IN THE STATE TO DEVELOP A PLAN TO IDENTIFY AND REPORT AGRICULTURAL WATER INFRASTRUCTURE NEEDS; (2) ENCOURAGE VOLUNTARY PRACTICES THAT CONSERVE AND PROTECT WATER RESOURCES; AND (3) DESIGN A COST-SHARE PROGRAM TO ASSIST FARMERS AND AGRICULTURAL LANDOWNERS WHO IMPLEMENT BEST MANAGEMENT PRACTICES TO CONSERVE AND PROTECT WATER RESOURCES RELATED TO AGRICULTURAL USE, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-149.)

**H.B. 1747**, AN ACT TO REQUIRE A LOCAL GOVERNMENT THAT PROVIDES PUBLIC WATER SERVICE OR A COMMUNITY WATER SYSTEM TO REVISE ITS LOCAL WATER SUPPLY PLAN TO ADDRESS FORESEEABLE FUTURE WATER NEEDS WHEN EIGHTY PERCENT OF THE WATER SYSTEM'S AVAILABLE WATER SUPPLY HAS BEEN ALLOCATED OR WHEN SEASONAL DEMAND EXCEEDS NINETY PERCENT, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-150.)

**H.B. 1744**, AN ACT TO MODIFY THE COMMON CRITERIA APPLICABLE TO LOANS AND GRANTS FOR WATER AND WASTEWATER INFRASTRUCTURE PROJECTS TO: (1) CLARIFY THAT LEAKING WATERLINES ARE A PRIORITY FOR BOTH WATER QUANTITY AND WATER QUALITY PURPOSES; (2) INCLUDE ASSET MANAGEMENT PLANNING, REGIONALIZATION, STATE WATER SUPPLY PLANNING, AND DROUGHT MANAGEMENT IN THE LIST OF COMMON CRITERIA THAT RECEIVE PRIORITY FOR FUNDING; (3) ESTABLISH A SLIDING SCALE SYSTEM FOR DETERMINING THE

PRIORITY GIVEN TO PROJECTS THAT EXCEED THE HIGH-UNIT-COST THRESHOLD; AND (4) PROVIDE THAT A PROJECT THAT DEMONSTRATES IT IS NOT FEASIBLE TO REGIONALIZE SHALL BE GIVEN THE SAME PRIORITY AS A PROJECT THAT INCLUDES REGIONALIZATION, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-151.)

**S.B. 900**, AN ACT TO 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, July 22, 2010 - S.L. 2010-152.)

**H.B. 455**, AN ACT TO ALLOW A SALES TAX REFUND TO A JOINT GOVERNMENTAL AGENCY CREATED TO OPERATE A CABLE TELEVISION SYSTEM. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-153.)

**S.B. 1337**, AN ACT TO REQUIRE TRAINING OF OPERATORS OF UNDERGROUND STORAGE TANKS IN ORDER TO COMPLY WITH A REQUIREMENT OF THE FEDERAL ENERGY POLICY ACT OF 2005, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-154.)

**H.B. 1765**, AN ACT TO AUTHORIZE COALITIONS OF LOCAL GOVERNMENTS TO JOINTLY IMPLEMENT WATER QUALITY PROTECTION PLANS FOR THE FALLS LAKE WATERSHED; TO PROVIDE THAT AN APPLICANT FOR AN INTERBASIN TRANSFER CERTIFICATE SHALL PAY THE COSTS ASSOCIATED WITH ALL REQUIRED PUBLIC HEARINGS; TO CREATE A TEMPORARY, STREAMLINED INTERBASIN TRANSFER CERTIFICATION PROCESS FOR INTERBASIN TRANSFERS IN THE CENTRAL COASTAL PLAIN CAPACITY USE AREA AND INTO ISOLATED RIVER BASINS; TO AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY CERTAIN CONDITIONS ON INTERBASIN TRANSFERS; AND TO PROVIDE THAT BENEFICIAL REUSE OF WASTEWATER INCLUDES CERTAIN FACILITIES THAT REQUIRE RELOCATION OF A DISCHARGE FROM ONE RECEIVING STREAM TO ANOTHER. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-155.)

**H.B. 1824**, AN ACT TO PROVIDE AN ADDITIONAL METHOD OF TRAPPING COYOTES AND TO INCREASE THE AVAILABILITY OF DEPREDATION PERMITS FOR COYOTES TO LIVESTOCK AND POULTRY OWNERS, AS RECOMMENDED BY THE HOUSE SELECT



COMMITTEE ON COYOTE NUISANCE REMOVAL. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-156.)

**S.B. 1259**, AN ACT TO DELAY THE EFFECTIVE DATE OF THE RULE TO CHANGE THE WATER QUALITY CLASSIFICATION OF BOYLSTON CREEK AND TO PROVIDE FOR ADDITIONAL OPPORTUNITIES FOR PUBLIC DISCUSSION OF THE RULE. (Became law upon approval of the Governor, July 22, 2010 - S.L. 2010-157.)

**H.B. 1691**, AN ACT TO AMEND THE STATUTES GOVERNING EMERGENCY TELEPHONE SERVICE, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON THE USE OF 911 FUNDS, AND TO INCREASE FUNDS FOR SUPPLEMENTAL PEG CHANNEL SUPPORT. (Became law upon approval of the Governor, July 23, 2010 - S.L. 2010-158.)

**H.B. 1682**, AN ACT TO PROHIBIT THE USE OF CORPORAL PUNISHMENT ON A STUDENT WITH A DISABILITY AS DEFINED IN G.S. 115C-106.3(1) OR SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973 WHOSE PARENT OR GUARDIAN HAS STATED IN WRITING THAT CORPORAL PUNISHMENT SHALL NOT BE ADMINISTERED ON THAT STUDENT, AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO REPORT OCCURRENCES OF CORPORAL PUNISHMENT TO THE STATE BOARD OF EDUCATION. (Became law upon approval of the Governor, July 23, 2010 - S.L. 2010-159.)

**S.B. 1151**, AN ACT TO DIRECT THE DIVISION OF SOCIAL SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO EXPAND AND ENHANCE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY. (Became law upon approval of the Governor, July 23, 2010 - S.L. 2010-160.)

**H.B. 1757**, AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP GUIDELINES FOR PUBLIC SCHOOLS TO USE EVIDENCE-BASED FITNESS TESTING FOR STUDENTS STATEWIDE IN GRADES KINDERGARTEN THROUGH EIGHT, AS RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY. (Became law upon approval of the Governor, July 23, 2010 - S.L. 2010-161.)

**S.B. 1248**, AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO CERTIFY COMPLIANCE

ANNUALLY TO THE STATE BOARD OF EDUCATION, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PERIODICALLY REVIEW DATA ON THE PROGRESS OF IDENTIFIED STUDENTS AND REPORT TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 23, 2010 - S.L. 2010-162.)

**H.B. 1377**, AN ACT TO ENACT THE SAFE SCHOOLS ACT. (Became law upon approval of the Governor, July 30, 2010 - S.L. 2010-163.)

**S.B. 1015**, AN ACT TO ENACT THE HOMEOWNER AND HOMEBUYER PROTECTION ACT TO PROHIBIT HOME FORECLOSURE RESCUE SCAMS IN WHICH A TRANSFEROR IS INDUCED TO SELL PROPERTY FOR LESS THAN FIFTY PERCENT OF ITS FAIR MARKET VALUE TO AVOID FORECLOSURE, TO PROVIDE PROTECTIONS IN LEASE OPTION CONTRACTS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND SPECIFY THE CONSEQUENCES OF A SELLER'S DEFAULT ON A LOAN SECURED BY A LIEN ON THE PROPERTY, TO PROVIDE PROTECTIONS IN CONTRACT FOR DEED TRANSACTIONS BY REQUIRING THAT SUCH CONTRACTS BE IN WRITING, INCLUDE SPECIFIED MINIMUM CONTENTS, BE RECORDED, GIVE PURCHASERS UNDER THE CONTRACT NOTICE OF AND THE RIGHT TO CURE ANY DEFAULT, AND INVOLVE PROPERTY TO WHICH THE SELLER HOLDS TITLE, AND TO MAKE VIOLATION OF CHAPTERS 47G AND 47H OF THE GENERAL STATUTES A BASIS FOR DISCIPLINE UNDER THE MANUFACTURED HOMES LICENSING ACT. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-164.)

**H.B. 1734**, AN ACT TO ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON THE CONDITION OF ITS BUILDINGS; CORRECT A STATUTORY REFERENCE TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF FINANCIAL OFFICER; ELIMINATE STATUTORY REFERENCES TO A SEVEN-YEAR TRANSPORTATION IMPROVEMENT PROGRAM; CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY AND GENERAL SUPERVISION OVER ALL TRANSPORTATION PROJECTS; PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO ENTER INTO AGREEMENTS WITH LOCAL GOVERNMENTS TO RECEIVE FUNDS FOR RIGHT-OF-WAY ACQUISITION; UPDATE STATUTORY REFERENCES TO THE NORTH CAROLINA TURNPIKE AUTHORITY; ELIMINATE A DEPARTMENT OF TRANSPORTATION REPORT ON ACCESS TO COASTAL WATERS; REVISE THE STATUTES GOVERNING THE DEPARTMENT OF TRANSPORTATION'S DISADVANTAGED

MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM; AND TRANSFER TO THE SECRETARY THE POWER TO PROMULGATE DEPARTMENT OF TRANSPORTATION RULES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO LOCATE AND ACQUIRE RIGHTS-OF-WAY FOR THE PRESENT OR FUTURE RELOCATION OR INITIAL LOCATION OF DISTRIBUTED ANTENNA SYSTEMS (DAS) AS PERMITTED BY LOCAL ZONING. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-165.)

**S.B. 1215**, AN ACT TO INCREASE UNIFORMITY IN SUNSET AND REPORTING REQUIREMENTS OF ECONOMIC INCENTIVES TOOLS AND TO ELIMINATE NONUTILIZED ECONOMIC INCENTIVES. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-166.)

**H.B. 1829**, AN ACT TO PROMOTE THE USE OF RENEWABLE ENERGY BY EXTENDING THE CREDIT FOR CONSTRUCTING RENEWABLE FUEL FACILITIES AND THE CREDIT FOR BIODIESEL PRODUCERS, REVISING THE TAX CREDIT FOR INVESTING IN RENEWABLE ENERGY PROPERTY, REINSTATING AND EXPANDING THE TAX CREDIT FOR A RENEWABLE ENERGY PROPERTY FACILITY, CLARIFYING THE AUTHORITY OF LOCAL GOVERNMENTS TO FINANCE ENERGY PROGRAMS, CLARIFYING THAT REAL PROPERTY DONATED FOR A CONSERVATION PURPOSE CAN BE USED ONLY FOR THAT PURPOSE, AND TO DESIGNATE THE APPROPRIATE PERSON TO PROVIDE A WRITTEN ALLOCATION OF THE FEDERAL §179D TAX DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS OWNED BY A GOVERNMENTAL ENTITY. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-167.)

**S.B. 1216**, AN ACT TO AMEND AND EXTEND THE EMERGENCY PROGRAM TO REDUCE HOME FORECLOSURES ACT, TO INCREASE AND AUTHORIZE FEES UNDER THE S.A.F.E. MORTGAGE LICENSING ACT, AND TO REVISE THE DEFINITION OF CERTAIN TERMS IN THE PREDATORY LENDING LAW. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-168.)

**H.B. 961**, AN ACT TO CLARIFY THE CRIMINAL STATUTES ON SELF-DEALING; TO CREATE THE PUBLIC FUNDING OF COUNCIL OF STATE ELECTIONS COMMISSION; TO INCREASE THE PUNISHMENT FOR MAKING CAMPAIGN CONTRIBUTIONS IN THE NAME OF ANOTHER; TO INCREASE ACCESSIBILITY TO INFORMATION RELATED TO CANDIDATE CAMPAIGN COMMITTEES AND TO INFORMATION RELATED TO STATE CONTRACTS AND GRANTS; TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY

CHANGING THE REVOLVING DOOR PERIOD AND APPLICABILITY; TO CODIFY CERTAIN POSITIONS IN STATE GOVERNMENT AS A PUBLIC SERVANT UNDER THE STATE GOVERNMENT ETHICS ACT; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH ADDITIONAL DISCLOSURES BY PUBLIC SERVANTS, INCLUDING CAMPAIGN CONTRIBUTIONS PRIOR TO APPOINTMENT; TO INCREASE ACCOUNTABILITY OF PUBLIC SERVANTS, APPOINTEES OF THE GOVERNOR, AND STATE EMPLOYEES BY PERMITTING THE GOVERNOR TO ADOPT MINIMUM STANDARDS OF ETHICAL CONDUCT; TO CLARIFY THE INDIRECT GIFT BAN AND CLARIFY REPORTING BY LOBBYIST PRINCIPALS; TO STRENGTHEN TRANSPARENCY OF GOVERNMENT THROUGH INCREASING AND CLARIFYING ACCESSIBILITY TO LEGISLATIVE RECORDS AND OTHER PUBLIC RECORDS; TO MAKE TECHNICAL CHANGES TO THE ETHICS LAW; AND TO EXPEDITE REVIEW OF PRELIMINARY INVESTIGATIONS OF ALLEGATIONS OF WRONGDOING UNDER CHAPTERS 120 AND 138A OF THE GENERAL STATUTES. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-169.)

**H.B. 748**, AN ACT TO DEFINE COORDINATION AND COORDINATED EXPENDITURE; TO REQUIRE REPORTING OF AND DISCLOSURES ON INDEPENDENT EXPENDITURES FOR POLITICAL ADVERTISEMENTS THAT IS THE SAME AS THAT OF POLITICAL COMMITTEES; TO REPEAL ARTICLES 22E AND 22F OF CHAPTER 163 OF THE GENERAL STATUTES; TO CLARIFY THE EXEMPTION OF POLITICAL EXPENDITURES TO THE DEFINITION OF "GIFT" UNDER THE STATE GOVERNMENT ETHICS ACT AND THE MISCELLANEOUS REPORTING UNDER CHAPTER 120C OF THE GENERAL STATUTES; TO REPEAL THE UNCONSTITUTIONAL BAN ON CORPORATE INDEPENDENT EXPENDITURES; TO REQUIRE DISCLOSURES ON ELECTIONEERING COMMUNICATION ADVERTISEMENTS; AND TO CLARIFY NO WRITE-IN CANDIDATES ON A NONPARTISAN RUNOFF ELECTION BALLOT. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-170.)

**S.B. 144**, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAW REGARDING THE INNOCENCE INQUIRY COMMISSION. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-171.)

**S.B. 1154**, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS AND AFFILIATED ENTERPRISES OF THE UNIVERSITY OF NORTH CAROLINA. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-172.)

**H.B. 466**, AN ACT TO AMEND THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-173.)

**H.B. 726**, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO STATUTES RELATED TO EXPUNCTION OF RECORDS; TO REQUIRE STATE AND NATIONAL CRIMINAL RECORD CHECKS WHEN EXPUNGING RECORDS; AND TO REQUIRE SEX OFFENDERS RESIDING IN THIS STATE TO REGISTER AS A SEX OFFENDER FOR CONVICTIONS OBTAINED OUTSIDE THIS STATE. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-174.)

**S.B. 1212**, AN ACT TO REPEAL THE LOCAL GOVERNMENT OTHER POST-EMPLOYMENT BENEFITS (OPEB) FUND AND TO ALLOW EACH UNIT OF LOCAL GOVERNMENT TO ESTABLISH A SEPARATE OPEB TRUST FUND THAT MAY THEN BE INVESTED BY THE DEPARTMENT OF STATE TREASURER. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-175.)

**H.B. 972**, AN ACT TO CREATE THE UWHARRIE REGIONAL RESOURCES COMMISSION AS A PERMANENT BODY CORPORATE OF THE STATE TO FOSTER ECONOMIC DEVELOPMENT AND PROTECT AND ENHANCE THE NATURAL RESOURCES OF THAT REGION. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-176.)

**H.B. 683**, AN ACT TO AMEND THE PERMIT EXTENSION ACT OF 2009. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-177.)

**S.B. 1119**, AN ACT TO REQUIRE ALL EARLY CARE AND EDUCATION PROVIDERS WORKING IN LICENSED CHILD CARE CENTERS OR LICENSED FAMILY CHILD CARE HOMES TO OBTAIN AND MAINTAIN EARLY EDUCATOR CERTIFICATION. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-178.)

**S.B. 836**, AN ACT TO: (1) CLARIFY LIABILITY FOR DAMAGES CAUSED BY THE DISCHARGE OF NATURAL GAS, OIL, OR DRILLING WASTE INTO STATE COASTAL FISHING WATERS OR OFFSHORE WATERS; (2) PROVIDE FOR THE REVIEW OF INFORMATION REQUIRED FOR A PROPOSED OFFSHORE FOSSIL FUEL FACILITY IN ORDER TO DETERMINE CONSISTENCY WITH STATE GUIDELINES FOR THE COASTAL AREA; (3) DIRECT THE COASTAL RESOURCES COMMISSION TO REVIEW EXISTING LAWS AND REGULATIONS THAT PERTAIN TO OFFSHORE ENERGY EXPLORATION AND PRODUCTION IN LIGHT OF THE EXPLOSION, SINKING, AND SUBSEQUENT DISCHARGE OF OIL FROM THE BRITISH PETROLEUM

DEEPWATER HORIZON OFFSHORE DRILLING RIG; (4) DIRECT THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY TO IMMEDIATELY REVIEW AND UPDATE THE STATE OIL SPILL CONTINGENCY PLAN IN ORDER TO PREPARE THE STATE IN THE EVENT THAT OIL DISCHARGED FROM THE BRITISH PETROLEUM DEEPWATER HORIZON OFFSHORE DRILLING RIG IS TRANSPORTED BY CURRENTS OR OTHER MECHANISMS TO THE NORTH CAROLINA COAST; AND (5) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REVIEW LIMITATIONS ON RECOVERY BY THE STATE FOR DAMAGE TO PUBLIC RESOURCES AND FOR THE COST OF OIL OR OTHER HAZARDOUS SUBSTANCE CLEANUP ESTABLISHED PURSUANT TO G.S. 143-215.89. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-179.)

**H.B. 1766**, AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO: (1) CHANGE THE LOCATION OF THE HORIZONTAL CONTROL MONUMENT FILES FOR PLAT AND SUBDIVISION MAPPING REQUIREMENTS; (2) PROVIDE THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY DESIGNATE MULTIPLE MEMBERS TO SERVE AS COCHAIRS OF THE ENVIRONMENTAL REVIEW COMMISSION; (3) REPEAL THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE RECORDED IN THE REGISTER OF DEEDS OFFICE AND MODIFY THE REQUIREMENT THAT REMEDIAL ACTION PLANS BE PLACED IN EACH PUBLIC LIBRARY IN THE COUNTY; (4) REESTABLISH THE SURFACE WATER IDENTIFICATION TRAINING AND CERTIFICATION PROGRAM AS A COMPONENT OF THE RIPARIAN BUFFER PROTECTION PROGRAM; (5) AMEND THE CUSTOMER REPORTING REQUIREMENTS FOR SMALL WASTEWATER SYSTEMS; (6) AMEND CIVIL PENALTIES FOR CERTAIN AIR QUALITY VIOLATIONS TO CONFORM WITH CHANGES MADE IN S.L. 2007-296; (7) CHANGE THE NAME OF THE NORTH CAROLINA NATIONAL PARK, PARKWAY AND FORESTS DEVELOPMENT COUNCIL TO THE WESTERN NORTH CAROLINA PUBLIC LANDS COUNCIL; (8) CLARIFY THE STANDARDS FOR QUALIFICATION OF VOLUNTARY WATER CONSERVATION AND WATER USE EFFICIENCY PROGRAMS; (9) AMEND THE ENFORCEMENT AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES UNDER THE DROUGHT MANAGEMENT PREPAREDNESS AND RESPONSE ACT; (10) AMEND DESIGNATION OF THE MEMBER OF THE SEDIMENTATION CONTROL COMMISSION REPRESENTING A NORTH CAROLINA PUBLIC UTILITY COMPANY; (11) AMEND THE NOTICE REQUIREMENTS FOR CITIES, COUNTIES, SANITARY DISTRICTS, AND WATER AND SEWER AUTHORITIES WHEN IMPOSING OR INCREASING CERTAIN FEES OR CERTAIN CHARGES; (12) PROVIDE THAT THE PROHIBITION ON ANY

NEW OR INCREASED NUTRIENT LOADING ALLOCATION APPLIES TO IMPAIRED DRINKING WATER SUPPLY RESERVOIRS; (13) DIRECT CERTAIN STATE AGENCIES TO REVIEW THEIR PLANNING AND REGULATORY PROGRAMS AND RECOMMEND WHETHER THOSE PROGRAMS SHOULD INCLUDE CONSIDERATION OF THE IMPACTS OF GLOBAL CLIMATE CHANGE; (14) REQUIRE ALL PUBLIC AGENCIES TO RECYCLE ALL SPENT FLUORESCENT LIGHTS AND MERCURY THERMOSTATS, REQUIRE THE REMOVAL OF ALL FLUORESCENT LIGHTS AND MERCURY THERMOSTATS FROM BUILDINGS PRIOR TO DEMOLITION, AND BAN MERCURY-CONTAINING PRODUCTS FROM UNLINED LANDFILLS; (15) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE PENALTIES APPLICABLE TO VIOLATIONS OF G.S. 130A-309.10 (PROHIBITED ACTS RELATED TO PACKAGING; CODED LABELING OF PLASTIC CONTAINERS REQUIRED; DISPOSAL OF CERTAIN SOLID WASTES IN LANDFILLS OR BY INCINERATION PROHIBITED); (16) PROVIDE THAT LOCAL GOVERNMENTS AND LARGE COMMUNITY WATER SYSTEMS ONLY REQUIRE SEPARATE METERS FOR NEW IN-GROUND IRRIGATION SYSTEMS FOR LOTS PLATTED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AFTER JULY 1, 2009, THAT ARE CONNECTED TO THEIR SYSTEMS; (17) PROHIBIT THE USE OF HIGH ARSENIC CONTENT GLASS BEADS WHEN MARKING STATE OR MUNICIPAL ROADS OR PUBLIC VEHICULAR AREAS; (18) ENABLE TRADITIONAL COUNTRY STORES TO SELL UNCOOKED SANDWICHES, PREPARED ON PREMISES BY STORE EMPLOYEES; (19) REVISE THE SUNSET PROVISION FOR NUTRIENT OFFSET PAYMENTS; (20) MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF "NOTEBOOK COMPUTER"; AND (21) DELAY THE EFFECTIVE DATE OF THE CLEAN COASTAL WATER AND VESSEL ACT FROM JULY 1, 2010, TO APRIL 1, 2011, TO LIMIT THE ACT'S APPLICATION TO ONLY THOSE AREAS THAT ARE DESIGNATED AS NO DISCHARGE ZONES BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND (22) CLARIFY THE SCOPE OF RESEARCH FOR THE COASTAL WAVE ENERGY RESEARCH AND PROTOTYPE PROJECT AUTHORIZED IN THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2010; AND (23) TO AMEND THE NC SUSTAINABLE COMMUNITIES TASK FORCE. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-180.)

**H.B. 620**, AN ACT TO MAKE CHANGES TO THE STATUTES CONCERNING BEQUESTS OR DEVICES IN A WILL TO THE ATTORNEY WHO DRAFTED THE WILL, AND TO MAKE REVISIONS TO THE UNIFORM PRINCIPAL AND INCOME ACT. (Became law upon approval of the Governor, August 2, 2010 - S.L. 2010-181.)

**S.B. 1201**, AN ACT TO PROVIDE ADDITIONAL OPERATING FLEXIBILITY TO COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-182.)

**S.B. 1199**, AN ACT TO CREATE THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION TO DEVELOP AND PLAN A REGIONAL SCHOOL OF AGRISCIENCE AND BIOTECHNOLOGY. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-183.)

**S.B. 1244**, AN ACT TO ADD STATE BOARD OF EDUCATION MEMBERS AS NONVOTING EX OFFICIO MEMBERS OF THE COMMISSION FOR EACH OF THE SEVEN ECONOMIC DEVELOPMENT REGIONS, AND TO ADD THE SECRETARY OF THE DEPARTMENT OF CULTURAL RESOURCES AS A NONVOTING EX OFFICIO MEMBER OF THE ECONOMIC DEVELOPMENT BOARD. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-184.)

**S.B. 675**, AN ACT TO PROHIBIT GIVING OR RECEIVING REMUNERATION RELATED TO THE MAKING OF REFERRALS OR PURCHASE/LEASE ARRANGEMENTS THAT LEAD TO MEDICAID PAYMENTS. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-185.)

**S.B. 778**, AN ACT TO PROVIDE THAT AN ENVIRONMENTAL DOCUMENT UNDER THE STATE ENVIRONMENTAL POLICY ACT IS NOT REQUIRED IN CONNECTION WITH PROJECTS THAT RECEIVE PUBLIC MONIES IN THE FORM OF CERTAIN ECONOMIC INCENTIVES PAYMENTS. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-186.)

**S.B. 308**, AN ACT TO PROVIDE FOR THE FORMATION OF A LIMITED LIABILITY COMPANY AS A LOW-PROFIT LIMITED LIABILITY COMPANY. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-187.)

**H.B. 1099**, AN ACT TO CLARIFY THE EFFECTIVE DATE OF A PROVISION LIMITING THE APPLICABILITY OF THE STATE ENVIRONMENTAL POLICY ACT TO PROJECTS RECEIVING ECONOMIC INCENTIVE PAYMENTS. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-188.)

**S.B. 866**, AN ACT TO AUTHORIZE THE RESPECTFUL RETIREMENT BY FIRE OF STATE FLAGS THAT ARE NO LONGER FITTING FOR DISPLAY. (Became law upon approval of the Governor, August 3, 2010 - S.L. 2010-189.)



**S.B. 1400**, AN ACT TO PROHIBIT FORECLOSURES WHILE MORTGAGORS OR TRUSTORS ARE ON ACTIVE MILITARY DUTY. (Became law upon approval of the Governor, August 4, 2010 - S.L. 2010-190.)

**H.B. 76**, AN ACT TO ALLOW A MEMBER OF THE MILITARY TO DESIGNATE THE TYPE, PLACE, AND METHOD OF DISPOSITION OF THE INDIVIDUAL'S REMAINS BY COMPLETING THE UNITED STATES DEPARTMENT OF DEFENSE RECORD OF EMERGENCY DATA, DD FORM 93, OR ITS SUCCESSOR FORM, AND TO MAKE CONFORMING CHANGES AND TO ADOPT THE HONOR AND REMEMBER FLAG TO HONOR AND RECOGNIZE FALLEN MEMBERS OF THE ARMED FORCES. (Became law upon approval of the Governor, August 4, 2010 - S.L. 2010-191.)

**H.B. 614**, AN ACT TO TREAT ONE APPLICATION BY A UNIFORMED VOTER FOR AN ABSENTEE BALLOT AS AN APPLICATION FOR ALL ABSENTEE BALLOTS FOR WHICH THE VOTER WOULD BE ELIGIBLE DURING THE SAME CALENDAR YEAR. (Became law upon approval of the Governor, August 4, 2010 - S.L. 2010-192.)

**H.B. 1412**, AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES RELATING TO NATIONAL GUARD COURTS-MARTIAL. (Became law upon approval of the Governor, August 4, 2010 - S.L. 2010-193.)

**S.B. 1213**, AN ACT INCREASING THE AUTHORITY OF THE SECRETARY OF ADMINISTRATION TO PROVIDE OVERSIGHT OF THE REVIEW AND AWARD OF CONTRACTS AND TO ENHANCE THE EFFICIENCY AND EFFECTIVENESS OF THE CONTRACTS PROCESS, REQUIRING ALL STATE AGENCIES AND INSTITUTIONS EXEMPT FROM ARTICLE 3 OF CHAPTER 143 OF THE GENERAL STATUTES TO COMPLY WITH CERTAIN REQUIREMENTS REGARDING THE REVIEW AND AWARD OF CONTRACTS, REQUIRING THE ATTORNEY GENERAL TO REVIEW CERTAIN CONTRACTS, AND PROHIBITING THE USE OF COST PLUS PERCENTAGE OF COST CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, August 5, 2010 - S.L. 2010-194.)

**S.B. 886**, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF CLEANFIELDS RENEWABLE ENERGY DEMONSTRATION PARKS IN THE STATE. (Became law upon approval of the Governor, August 5, 2010 - S.L. 2010-195.)

**H.B. 1292**, AN ACT TO PROVIDE THAT ANY ENERGY SAVINGS REALIZED BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL REMAIN AVAILABLE TO THE

INSTITUTION AND A PORTION OF THOSE ENERGY SAVINGS SHALL BE USED FOR OTHER ENERGY CONSERVATION MEASURES; AND TO EXPAND THE USE OF OPERATIONAL LEASES BY LOCAL BOARDS OF EDUCATION. (Become law without the approval of the Governor, August 10, 2010 - S.L. 2010-196.)

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**BILLS REMAINING IN SENATE COMMITTEES  
2009 SESSION  
SECOND SESSION 2010**

The following bills and resolutions remain in Senate Committees after adjournment *sine die* on July 10, 2010, to be transferred to the Division of Archives and History of the Department of Cultural Resources upon adjournment *sine die* of the 2009 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	101	Interconnection of Public Water Systems.
S	126	Amend Drinking Water Testing/Private Wells.
S	473	Certified Technicians for Animal Euthanasia.
S	515	Prohibit Penning of Wildlife.
S	524	Disapprove Coastal Setback Rule.
S	739	Prohibit Penning of Wildlife.
S	753	Water Infrastructure Commn/Coordinate Funds.
S	757	Statewide Water Plan/Program Evaluation Recommend.
S	792	Water Infrastructure Authority/Water Grants.
S	865	No State Regulation of Toxic Title V Sources.
S	876	Study Consolidated Environmental Commission.
S	885	Protect Oyster Sanctuaries.
S	896	Analysis of Agricultural Research Stations.
S	907	Water Resource Policy Act of 2009.
S	919	Study Interbasin Transfer Netting.
S	1035	GOV/GA/COS Pay Reduction.
S	1080	Mining Permit Application Review by Locals.
S	1162	Environmental Technical Corrections 2010.
S	1163	ENR Reports Consolidation 2010.
S	1167	Amend Environmental Laws 2010.
S	1169	Amend IBT Enforcement and Notice.
S	1170	Improve River Basin Modeling.
S	1221	Establish NC Commission on Climate Change.
S	1223	NC Climate Change Adaptation Strategy.
S	1269	Suspension and Revocation of Fishing Licenses.
S	1273	Duplin Fox Trapping.
S	1275	Improve Success of FMPs.
S	1276	Observer Coverage Gear Permits.
S	1277	Fishery Management Plan Supplements.
S	1278	Water Infrastructure Database/Task Force.
S	1279	Survey Ag. Water Infrastructure Needs.
S	1283	Local Government Comm. Review Water Systems.
S	1293	Water Funding Priorities.
S	1317	Amend Electronics Recycling Requirements.
H	1715	Observer Coverage Gear Permits.

**APPROPRIATIONS/BASE BUDGET**

S	2	Lottery School Capital Fund Formula.
S	8	Funds for CAP/MR-DD Slots.
S	12	Ban Mobile Phone Use While Driving.
S	17	Pay Teachers the ABC Bonuses They Earned.
S	22	Ban Texting While Driving.
S	30	Funds for Project C.A.R.E.
S	32	Employers Must Use Federal E-Verify Program.
S	33	Child Welfare Collaborative Funds.
S	41	Gates HS Roof Funds.
S	42	Newbold-White House Funds.
S	55	Ingram Planetarium Funds.
S	57	45th Senate District Local Act.
S	61	Funds for Cochlear Implants/CASTLE.
S	74	Increase Penalty/2nd Degree Murder.
S	75	Gates County Senior Center Funds.
S	76	Rhema Educational Services Funds.
S	78	NC Center for Automotive Research/Funds.
S	82	Graduated Matching Funds Based on Tier Status.
S	84	"Horn in the West" Funds.
S	85	Adolesc. Pregnancy Prevention Campaign/Funds.
S	86	Community Resource Council Funds.
S	94	Felony to Assault Probation/Parole Officer.
S	98	No Adult Left Behind.
S	102	District 19A District Court Judge Funds.
S	109	Ahoskie Boys and Girls Club Funds.
S	111	Historic Barker House Funds.
S	112	Historic Hope Plantation Funds.
S	113	Ahoskie Library Funds.
S	125	Housing Trust Fund Appropriation.
S	131	Penalty for DWI Conviction/BAC .20 or Higher.
S	142	Caisson Coordinator Contract Position/SHP.
S	149	Lapsed Salaries Revert.
S	154	Disability Income/Eliminate Veterans Offset.
S	169	Arthritis Foundation Funds.
S	170	Our Children's Place Funds.
S	175	Multicampus Center Funds/Stanly Comm. Coll.
S	179	Sterilization Compensation.
S	185	Home & Community Care Block Grant Funds.
S	187	Dentistry Funds for Special Care Populations.
S	189	Funds for Adult Protective Services Pilot.
S	190	Project C.A.R.E. for Dementia Funds.
S	191	Senior Center Funds.
S	194	Increase Adult Day Care Reimbursement Rate.
S	206	Kids Voting Funds.
S	216	Greater Enrichment Program Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	217	Funds for Reynolds Hospital Guest House.
S	224	John Coltrane Music Hall Funds.
S	225	High Point Furnishings Market Funds.
S	226	Accessible Electronic Info Act/Blind/Disabled.
S	227	Domestic Violence Funds.
S	228	DHHS/Office of Men's Health.
S	229	Scholarship Loan for Rural Social Workers.
S	230	Continue Rural Economic Transition Program.
S	240	Fund High Priority Public Health Initiatives.
S	242	TANF Block Grant Funds/Boys & Girls Club.
S	243	Reduce Infant Mortality and Preterm Births.
S	244	Occurrence of Shaken Baby Syndrome.
S	245	Funds to Prevent Preterm Births.
S	246	Reduce Sudden Infant Death Syndrome.
S	257	Expand Division of Emergency Mgmt. Authority.
S	260	ECU & UNC Med School Expansion Funds.
S	261	ECU Life Sciences & Biotechnology Bldg. Funds.
S	267	Adequately Fund Seventh Hazmat Team.
S	273	School Nutrition Program Funds.
S	274	Funds/NCSU Vet. Teaching & Research Fund.
S	275	NC Korean War Veterans Memorial Park Funds.
S	278	Funds/Justus-Warren Task Force Recs.
S	279	Food Bank Funds.
S	280	Funds/NC Special Olympics.
S	281	Funds For Healthy Carolinians.
S	282	Aid To Community Health Centers/Funds.
S	283	Funds for School Health Centers.
S	290	No Federal Stimulus Money for Illegal Aliens.
S	291	START Crisis Services/MH/DD/SAS/Funds.
S	292	Citizens Commission on Compensation.
S	296	ECU Indigent Care Medical School Funds.
S	297	No Sunset/Teacher Personal Leave Provision.
S	306	New Assistant Principals/No Pay Decrease.
S	310	Funds/Stroke Ambulance Treatment System.
S	312	LEA Sales Tax Refund.
S	313	Community College Sales Tax Refund.
S	314	Funds for Center for Advancement of Teaching.
S	316	Change Name of Horace Williams Airport.
S	319	North Carolina Arts Council Funds.
S	322	Communities in Schools Funds.
S	323	Funding for Learn and Earn.
S	330	Funds For Nosocomial Infections Surveillance.
S	333	Repeal Fifty-Dollar Lawyer Surcharge.
S	343	Funds for Medical Examiner Equipment.
S	344	Expand Flu Vaccines for Children/Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	352	VSL Nonfamily Sick Leave Donations.
S	355	State Health Plan/Local Govt Retiree Contrib.
S	363	Positive Behavior Support Position Funds.
S	369	Funds/Wake Forest Institute.
S	373	Funds for UNC Kidney Center.
S	374	Funds/Prevent Neural Tube Birth Defects.
S	375	Insurance/Cover Hearing Aids.
S	383	Water and Sewer Infrastructure/Funds.
S	399	Western Justice Academy Firing Range.
S	400	No Increase in UNC In-State Tuition or Fees.
S	401	West. Just. Acad./Wildlife Res. Firing Range.
S	403	Victims Compensation Amendment.
S	404	Cochlear Implants/ECU Ed. & Training Funds.
S	406	Classroom Experience for School Personnel.
S	407	Multicampus Center Funds/Rowan-Cabarrus CC.
S	408	Recommended Approp. MH/DD/SA Oversight Comm.
S	409	Recommendations of MH/DD/SA Oversight Comm.
S	414	NC Symphony Funds.
S	420	Redirect Master Settlement Funds.
S	426	Legislative Compensation.
S	438	Safer Communities Ministry Funds.
S	441	Indian Economic Development Funds.
S	442	Customized Training Prog. Funds/Comm. Coll.
S	443	Differentiated Funding/Allied Health Programs.
S	444	Salary Funds/Comm. Coll. Faculty and Staff.
S	445	Community College Equipment Funds.
S	446	Comm. Coll. Technical Education Funds.
S	450	Boone Fire Truck Funds.
S	463	NC Minority Support Center/Funds.
S	466	TROSA Substance Abuse Funds.
S	474	UNCP Campus Expansion Funds.
S	477	Funds/Forsyth CC/Stokes County Campus.
S	490	Adjust B1-E Felony Penalties.
S	497	Project Turn Around Funds.
S	505	DHHS Block Grant Funds.
S	508	Electing Cnties Harmless/WF Family Asst.
S	510	Expand Interpreting Services.
S	512	Differentiated Funding/Allied Health Programs.
S	517	Mental Health Services Funds.
S	518	Funds for Prevent Blindness, Inc.
S	523	Funds for Community Conservation Assistance.
S	529	Cleveland Comm. Coll. Capital Project.
S	531	PTA Parental Involvement/Dropout Prev. Funds.
S	532	NC Biotech Center Appropriation for Econ. Dev.
S	542	UNCG & NCA&T Nanoscience Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	558	Retirement System COLAs.
S	559	Increase Fire and Rescue Pension.
S	561	ECU Dentistry School/Operating Funds.
S	562	ECU Heart Institute Funds.
S	565	Greene County Library Funds.
S	566	Regional Agricultural Center Funds.
S	579	Piedmont Pioneer House Funds.
S	581	Funds/Folklife Program at Old Fort.
S	585	Community Development Corporation Funding.
S	603	Funds for Juvenile Crime Prevention Councils.
S	604	Funds/CAARE, Inc.
S	608	One NC Fund Small Business Fund Appropriation.
S	609	Funds for Specialty Crops Program.
S	616	Model Program/Children w/Disabilities.
S	621	Folkmoot USA Funds.
S	623	Self-Serve Center Funds.
S	626	Children's Advocacy Centers Funds.
S	627	Funds/Mobile Dental X-Ray/MOM Clinics.
S	640	Increase to 5%/Admin. Cost/Child Care Subsidy.
S	645	Retirement Technical Corrections.
S	663	Increase Access to Justice.
S	665	Mecklenburg Juvenile Detention Funds.
S	667	Community Economic Development Funds.
S	670	Funds/Statewide Poison Control Center.
S	676	Funds/Zoo/African Pavilion.
S	677	Funds/Zoo/North American Upgrade.
S	681	Expand Teen Pregnancy Prev. Programs/Funds.
S	682	Johnson & Wales Funds.
S	683	Funds for Mobile Barbershops Pilot Program.
S	684	Retain Pregnant And Parenting Students/Funds.
S	692	Funds for Guardianship Services.
S	697	e-NC Authority Connectivity/Econ. Dev. Funds.
S	699	Cement Plant Moratorium and Study.
S	705	Appropriations Act of 2009.
S	706	Amend On-Site Wastewater Contractor Laws.
S	710	False Pretenses/Increase Some Penalties.
S	714	Offense for Portable Toilets/Pumper Trucks.
S	717	Comm. Coll. Enrollment Growth Reserve Funds.
S	742	Funds/New Bern's 300th Anniversary.
S	743	Core Sound Waterfowl Museum Funds.
S	744	Funds/Beaufort's 300th Anniversary.
S	748	Mental Health Court Position Funds.
S	756	26th Judicial District Position Funds.
S	758	Transfer Secondary Roads to Counties.
S	762	Salary Supplement/Some Automotive Teachers.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	770	Funds/Increase Aid to Public Libraries Fund.
S	771	Reallocate Lottery Funding.
S	774	Regional Partnership Econ. Dev. Funds.
S	785	Equine Industry Commission.
S	791	Reed Gold Mine Revolving Fund.
S	793	Promote HUB/Supplier Diversity/Funds.
S	837	Center for International Understanding Funds.
S	840	NC Agricultural Mediation Program Funds.
S	841	Funds for the Biofuels Center.
S	844	Appropriations Act of 2009.
S	845	NC Rural Center/Funds.
S	846	NC Farmland Preservation Trust Fund.
S	847	Funds for Farmland Preservation Trust Fund.
S	861	AOC Omnibus Courts Act.
S	899	Freeze Lottery Proceeds.
S	917	Cancer Patient Assistance.
S	959	Report/Recommendations Re: Stimulus Funds.
S	963	Appropriate Fed. Stimulus Funds-2008-2009.
S	964	DHHS to Maximize Federal Program Benefits.
S	966	Expanded Voter-Owned Elections.
S	970	Fund Regional Economic Recovery Alliances.
S	976	Establish NC Office of Management Innovation.
S	989	Campaign4Change Funds.
S	991	NC Military Business Center Funds.
S	1002	Broadband Technology Funds.
S	1003	WOW e-CDC/Funds.
S	1005	IDF Limitation Modifications.
S	1047	Child Care Subsidy Funds.
S	1050	OpenBook Government.
S	1052	Limit General Fund Expenditures.
S	1058	Repair & Renovation Fund Formula.
S	1065	NC Museum of Art Funds.
S	1070	Bereavement Leave/State & School Employees.
S	1071	Collaborative Project Funds.
S	1075	Salary Supplement/Some Automotive Teachers.
S	1079	Agricultural Research Farms.
S	1084	Child Welfare Collaborative Funds.
S	1086	Correctional/Probation Training Comm. Study.
S	1092	Main Street Grant Funds.
S	1093	Appropriations Act of 2009.
S	1118	Consolidate Payments/Early Care & Ed Provider.
S	1125	Funds for Enrollment Growth/Comm. Colleges.
S	1126	Equipment Funds/Community Colleges.
S	1127	Enrollment Growth Reserve/Community Colleges.
S	1129	Gap Funding for Cape Fear Skyway Bridge.



**APPROPRIATIONS/BASE BUDGET** (continued)

S	1145	Rowan Community College Funds.
S	1147	Funds to Prevent Infant Mortality.
S	1148	Funds for Community Education/Stroke.
S	1149	Multicampus Center Funds/Stany Comm. Coll.
S	1150	Funds for Special Olympics NC.
S	1158	Vietnam Veterans' and Beirut Memorial Signs.
S	1160	Test for Hazardous Substances/Yadkin Project.
S	1161	TANF Block Grant Funds/Boys & Girls Club.
S	1181	Modify Appropriations Act of 2009.
S	1182	Funding for Law Enforcement Support Services.
S	1200	JOBS Commission Pilot Schools.
S	1205	Funds for the Biofuels Center.
S	1206	Gap Funding for Cape Fear Skyway Bridge.
S	1211	NCSU Funds/Industrial Extension Service.
S	1218	Non Profit Grants/Increase Accountability.
S	1222	Funds to Assess/Monitor NC Climate Change.
S	1235	Restore Prison Education Funds.
S	1237	Funding for State Ethics Commission.
S	1240	DV Funds.
S	1250	Communities in Schools Funds.
S	1254	Boone Fire Department Funds.
S	1260	Critical Water Grants/Jobs in Rural Areas.
S	1261	NC Child Welfare Ed Collaborative Funds.
S	1262	Multicampus Funds/Blue Ridge Comm. Coll.
S	1266	Funds for School-Based Health Centers.
S	1267	Funds for Prevent Blindness.
S	1268	CASTLE/Funds.
S	1270	Promote North Carolina Seafood Marketing.
S	1274	Modify Appropriations Act of 2009.
S	1280	Funds/Match for Fed. Water & Wastewater Funds.
S	1281	Funds/Clean Water Management Trust Fund.
S	1282	Rural Center Funds/Water Infrastructure.
S	1284	Farm to School Program/Funds.
S	1285	Eliminate Reduced Price School Meals/Funds.
S	1288	Electronic Funds Transfers/Farmers Markets.
S	1303	Funds for FSU's Butler Building.
S	1310	Expand Inpatient Psych. Bed Capacity/Funds.
S	1311	Restore State-Funded LME Services.
S	1312	Accessible Electronic Info Act/Blind/Disabled.
S	1313	UNCG/A & T Nanoscience/Nanoengineering Funds.
S	1314	High Point Furniture Market Funds.
S	1315	NC A & T/UNC G Technology Initiative Funds.
S	1316	NC A & T College of Engineering Funds.
S	1318	Develop MH Leadership Academy for LMEs/Funds.
S	1321	NCIOM Studies/Funds.

**APPROPRIATIONS/BASE BUDGET** (continued)

S	1326	Children's Advocacy Centers Funds.
S	1327	North Carolina Military Business Center Funds.
S	1328	North Carolina Science Olympiad Funds.
S	1329	Texfi Cleanup Funds.
S	1330	Fund Defense and Security Tech. Accelerator.
S	1333	NC Sustainable Communities Task Force.
S	1339	National School Lunch Program/Funds.
S	1340	Divide Prosecutorial District 13.
S	1343	Modify Appropriations Act of 2009.
S	1344	Governors Budget.
S	1348	County Temporary Flexibility/Lottery Funds.
S	1350	ECU Dental School Funds.
S	1351	Regional Partnership Econ. Dev. Funds.
S	1363	Professional Leave for School Employees.
S	1364	Teacher Assistant Salary Schedule.
S	1368	Modify Appropriations Act of 2009.
S	1369	Community Economic Development Funds.
S	1375	Kids Voting Funds.
S	1376	Western Regional History Museum Funds.
S	1384	Remove Damage Cap/Review Offshore Oil Spills.
S	1385	Study/Water Quality Cost Share.
S	1387	Attracting New Opportunities Act.
S	1393	Enhance Protection of Victims & Witnesses.
S	1395	Institute for Regenerative Medicine/Funds.
S	1396	Funds for Low-Cost Green Tech. Education.
S	1397	TROSA Substance Abuse Funds.
S	1414	Assisting Small Businesses Act.
S	1415	Change Name to WNC Public Lands Council.
S	1417	Study Graduation Disparity.
S	1418	Funds/Medical School Expansion Planning.
S	1428	Invest in Green Jobs Act.
S	1434	Funds for Farmland Preservation Trust Fund.
H	8	Prohibit Cell Phones in Prison.
H	89	Smoky Mountains National Park Plate Changes.
H	696	Motorcycle Awareness Month.
H	1140	Educ. Assistance for Minimum Wage Workers.
H	1176	Reorganize Schools with High Dropout Rate.
H	1287	Recycle Products Containing Mercury.
H	1312	Omnibus Highway/MV Statute Changes.

**COMMERCE**

S	14	Create Employment Safety & Security Comm.
S	31	Biopic Lenses/Drivers License Tests.
S	45	Off-Road Vehicle Trust Fund.
S	47	Unauthorized Wireless Phone Use /\$50 Limit.

**COMMERCE** (continued)

S	49	Broaden Price Gouging Protections.
S	50	Storage Fees by Towing Services/SHP Rotation.
S	70	Construction Standards/Manufactured Housing.
S	71	Amend Purpose of Home Protection Program.
S	73	Commercial Loan Interest.
S	130	Display Identifying Numbers Inside Elevators.
S	135	Operation of Mopeds.
S	165	State Review of Group Insurance Claims.
S	276	Enhance Youth Employment Protections.
S	334	Department of Transportation Reforms.
S	341	Appalachian Mountains Preservation Act.
S	348	Modernize Precious Metals Permitting.
S	387	Exempt Advertising Service/Real Estate Broker.
S	398	Security and Immigration Compliance.
S	428	Stay on Homeowners Insurance Actions.
S	493	Minority Businesses/DOT Contracts.
S	534	Healthy Families and Healthy Workplaces Act.
S	545	Require Titles for Scrapped Vehicles.
S	590	Kosher or Halal Label/Authorizing Entity Info.
S	591	Plan for Statewide Motor Coach Permit.
S	607	Disapprove Building Code Council Rule.
S	641	Litter Reduction Act of 2009.
S	654	Create Exemption/Size-Weight for Sage Haulers.
S	656	Remove Controlled Access Highway Restriction.
S	662	UC Report to Include Recommendations.
S	688	NC Low-Emission Vehicle Program.
S	696	Beach Plan Surplus.
S	725	Out-of-State Insurance Policies/Allow Purch.
S	781	Workers' Comp/Choice of Physician.
S	782	Repeal Pistol/Crossbow Transfer Permit.
S	789	No Bail Bondsman License/Mis. Drug Conviction.
S	790	Street Construction/Developer Responsibility.
S	795	Real Estate Disclosure/Military Installation.
S	806	Res. Lead-Based Paint Hazards/Renovations.
S	826	Motor Vehicle Inspection Program Changes.
S	839	Modernization of the ABC System.
S	849	Repeal Motor Vehicle Safety Inspections.
S	856	Require License for Fire Alarm Contracting.
S	857	Eliminate Safety Insp./Emissions Insp. Freq.
S	874	Energy Efficient State Motor Vehicle Fleet.
S	891	Regulation of Lodging Establishments.
S	910	Regional Transportation Authorities.
S	911	North Carolina Building Code/Council Changes.
S	916	Tenant Security Deposit/Interest-Bear. Acct.
S	918	Increase Small Brewery Limits.

**COMMERCE** (continued)

S	921	ABC Board Sunday Sales/Local Option.
S	975	Workers' Comp./Duration of Total Disability.
S	983	DOT Vegetation Removal Changes.
S	988	Spirituos Liquor Tasting at ABC Stores.
S	993	Limit Toxic Flame Retardants Containing PBDEs.
S	999	No Preblended Gas from Importers.
S	1001	Transportation Corridor Mapping Changes.
S	1016	State Minimum Wage/Inflation Increases.
S	1025	Small Business Health Insurance Expansion.
S	1044	Moratorium on Coal-Fired Power Plants.
S	1049	Model Airport Zoning Act Amendments.
S	1055	Labor/Mandatory Lunch Break.
S	1233	Promote Work Oppy. Tax Credit.
S	1290	Confirm Lucy Allen.
S	1297	Regional Economic Recovery Housing Alliances.
S	1352	Confirm Lucy Allen.
H	912	Encourage Use of Military Veteran Contractors.
H	1265	Identity Theft Warning/Employment Assistance.
H	1353	No Ordinances/Deeds May Stop Clotheslines.
H	1392	NC Risk Pool Changes/Out-of-State Services.
H	1410	Building Code Exclusion/Hot Water Heaters.
H	1485	Insurance/Health Care Provider Relationship.

**EDUCATION/HIGHER EDUCATION**

S	16	DPI/Curriculum on 1898 Wilmington Race Riot.
S	72	Wake School Board Elections.
S	122	Students Under 16 May Attend Comm. College.
S	155	Community Colleges Can't Admit Illegal Aliens.
S	160	Students Under 16 May Attend Comm. College.
S	172	Allow Charter Schools in 100 Counties.
S	218	Neighborhood Schools & Teacher Merit Pay.
S	221	Healthy Youth Act.
S	259	Interscholastic Sports Open to All Students.
S	265	Fund Only One School System Per County.
S	320	Study Raising Compulsory Attendance Age.
S	321	Encourage Policies to Facilitate Graduation.
S	326	Public School Bus Use/Stecoah Valley Ctr. Prg.
S	358	TAs in Special Ed. Classes/Personal Leave.
S	362	Retired Teachers Return to Work.
S	377	Low Academic Performance/No Sports.
S	378	Counties May Fund Charter Schools.
S	379	Remove Cap on the Number of Charter Schools.
S	396	Assignment of Twins to Charter Schools.
S	397	Increase Cap on Charter Schools.
S	419	Purchasing Process for Community Colleges.

**EDUCATION/HIGHER EDUCATION** (continued)

S	424	Reorganize Schools with High Dropout Rate.
S	451	Strengthen Driver Education.
S	455	School Calendar Flexibility/Some LEAs.
S	478	Modify School Calendar Law.
S	485	Community College Developmental Courses.
S	546	Calculation of the Dropout Rate.
S	554	School Calendar Flexibility/2 LEAs.
S	573	Modify Charter School Law.
S	588	FSU Engineering School.
S	592	Workforce Training for Economic Recovery.
S	657	SBE to Develop Teacher Ass't. Salary Sched.
S	720	Robeson Community College Aerospace Program.
S	722	No High School Graduation Proj. Required.
S	733	SBE to Adopt Curriculum for "Life 101."
S	737	Parent & Student Educational Involvement Act.
S	741	Increase Class Size for One Year Only.
S	773	Educational Governance Framework.
S	814	Students Under 16 May Attend Comm. Coll.
S	815	Intervention Plan after Unexcused Absences.
S	864	Funds for Athletic Trainers at High Schools.
S	868	Remove Barriers/Teacher Lateral Entry Prog.
S	927	Testing K-8 National Form Test.
S	933	Students Under 16 May Attend Comm. College.
S	947	No Standardized Testing Unless Req'd by Feds.
S	949	Teacher Assistant Salary Schedule.
S	950	Salary/Teachers with Advanced Degrees.
S	985	DPI/Curriculum on 1898 Wilmington Race Riot.
S	1023	Safer Schools.
S	1034	Modify Out-of-State Tuition Exemption.
S	1040	No Tickets/Performing Arts Events.
S	1081	Drug and Alcohol Education Program.
S	1128	Summer Developmental Courses/Comm. Colleges.
S	1138	Ban Corp. Punish. for Children W/Disabilit.
S	1139	Require use EVAAS in schools.
S	1140	Amend Sunset/Children w/Disab.
S	1142	School Support Division Changes.
S	1143	Substitute Teacher Unemployment.
S	1227	Lift Charter Cap/Lunch Requirements.
S	1228	Parenthood/Financial Education.
S	1230	Second Tarheel Challenge Academy.
S	1245	Disapprove Community College Rule.
S	1247	Amend Dropout Prevention Grants.
S	1253	No High School Graduation Proj. Required.
S	1258	Disapprove Comm. College Rule/Illegal Aliens.
S	1296	Physical Education and Activity in Schools.

**EDUCATION/HIGHER EDUCATION** (continued)

S	1322	Comm. Coll/Realign Fund Formula/Fed Loans.
S	1324	Consolidate Student Financial Aid/Work Group.
S	1358	School Calendar Flexibility/Inclement Weather.
S	1370	School Calendar Flexibility/Inclement Weather.
S	1377	School Bus Railroad Crossing Exception.
S	1406	Veteran & Dependents/In-State Tuition.
S	1410	Funds for Access to High School Sports.
H	348	Modify Educ. Requirement/School Bd. Members.
H	412	Advisory Council on Indian Education.
H	531	Affordable Housing for Teachers/Edgecombe Co.
H	757	Two Orange Co. Schools Are Tech. Schools.
H	856	Modify Charter School Law.
H	900	Nutrition Stds./All Foods Sold at School.
H	1470	Study Length of School Lunch Period.
H	1884	Amend SEAA Board Membership.

**FINANCE**

S	24	Special Plate for the Given Memorial Library.
S	27	Special Plate for Cure Search.
S	48	Permit Semimonthly Sales Tax Payments.
S	51	Special License Plate for "Old Baldy".
S	54	Municipal Drainage Service Districts.
S	81	Modify Onslow County Sales Tax Distribution.
S	88	Health Insurance Tax Deduction.
S	95	Jury Duty Tax Deduction.
S	106	Moratorium on EMC Rule Making.
S	121	Special Plate for the Horse Council.
S	124	Support Soccer Special Plate.
S	128	Special Plate for Carolina's Golf Association.
S	132	High Point Furniture Market Special Plate.
S	134	Special Plate for ARTS NC.
S	139	Add Division of LESS to CCPS.
S	147	Tax Credit For Energy-Efficient Homes.
S	148	Annexation Referendum.
S	151	Congestion Relief/Intermodal Transport Fund.
S	163	Clay County Local Sales Tax Modification.
S	177	Increase Disabled Vet Property Tax Exclusion.
S	184	Jaycees Special Plate.
S	210	"Choose Life" Special Plate.
S	212	Special Plate for Mayors.
S	213	Marine Corps League/150 Applications to Issue.
S	233	Equal Tax Treatment of Gov't Retiree Benefits.
S	239	Renewable Energy and Energy Efficiency Credit.
S	247	Purple Heart Motorcycle Special Plate.
S	250	Special Plate for Mayors and Council Members.

**FINANCE** (continued)

S	264	Disabled Veterans Free at State Parks.
S	271	Affordable Housing for Local Employees.
S	286	Authorize State Bar to Borrow Funds.
S	289	Mills River Video Distribution.
S	298	Military Wartime Veteran Special Plate Change.
S	299	U.S. Navy Specialty Plate Change.
S	305	Incentives for Energy Conservation.
S	325	Mountains-to-Sea Trail Special Plate.
S	338	Union Fire Fees.
S	349	Raise Credit for Qual. Production Expenses.
S	365	Child Health Insurance Tax Credit.
S	391	Cabarrus County Local Option Sales Tax.
S	394	18th Senatorial District Local Act.
S	410	Increase Cig. Tax/Proceeds to MHTF.
S	422	First in Turf Special Plate.
S	434	Boone Occupancy Tax.
S	436	Special Plate for the Town of Oak Island.
S	439	Tax on Lottery Winnings.
S	447	No Monetary Exaction for Development.
S	456	Expand Energy Star Sales Tax Holiday.
S	462	Restore Public Schools' Sales Tax Refund.
S	470	Spay/Neuter Program Funding.
S	472	Annexation Changes.
S	476	Create Titling Categories-Replica/Street Rod.
S	486	Change Corporate Income Tax.
S	487	Modernize Sales Tax Stat/Digital Products.
S	491	Expunge Nonviolent Crimes.
S	492	Cumberland Cnty Sales Tax Mod and MLK Approp.
S	494	Annexation/Meaningful Services and Oversight.
S	500	Raise Homestead Exclusion Income Limit.
S	501	IDF Eligibility Modifications.
S	502	Special Plate/Old Hickory Boy Scout Council.
S	507	Travel and Tourism Special Plate.
S	516	Community Association Managers Licensure.
S	525	Video Game Producer Tax Credit.
S	536	Goldsboro Deannexation.
S	538	Incorporate Lake James.
S	539	Greensboro Motor Vehicle Levy.
S	541	Expand Aircraft Parts Sales Tax Exemption.
S	549	Incorporate Enochville.
S	568	Stanly, Davidson Water Resource Privilege Tax.
S	569	Stanly, Davidson Limited Privilege Tax.
S	572	Repeal Estate Tax.
S	574	Make Better Use of Economic Incentives.
S	576	JDIG Technical Modifications.

**FINANCE** (continued)

S	577	IRC Update.
S	578	Special Plate for the NC Wildlife Federation.
S	582	Armed Forces Expeditionary Medal/Sp. Plate.
S	610	Sales Tax: Exempt Liquefied Petroleum Gas.
S	620	P.E.O. Special Registration Plate.
S	629	NCSU Nonappropriated Capital Projects.
S	630	Master Gardener Special Plate.
S	637	Bowles Center for Alcohol Studies Funds.
S	638	Special Plate for Girl Scouts.
S	642	Require Off-Road Vehicles to Be Registered.
S	685	Reduce Corporate Income Tax Rate.
S	690	Annual Registration of Farm Vehicles.
S	701	Increase Fee/Medical Records Copying.
S	707	Dispute Resolution Fees.
S	711	Annexation Law Omnibus.
S	719	Amend Environmental Laws 2009.
S	723	No Credit for Obscene Films.
S	735	Civil War Special Plate.
S	736	Friends of Camp Daniel Boone Special Plate.
S	745	S.T.A.R. Special Plate.
S	747	Native Brook Trout Special Plate.
S	751	Qualified Venture Capital Gain Exemption.
S	760	Per Diem Erosion Control Penalties.
S	768	Increase Earned Income Tax Credit.
S	772	Clarify Mill Machinery Privilege Tax.
S	776	Prepaid Wireless/Service Charges.
S	779	Religious Orgs./Clarify Prop. Tax Exemption.
S	783	Clarify Inspection Station Responsibilities.
S	818	New or Existing Home Purchase Tax Credit.
S	822	Education Infrastructure Act.
S	823	Modify Defn of Income for Homestead Exclusion.
S	842	Alternative Fuels Tax Credit.
S	867	Tax Law Compliance Condition of ABC Permit.
S	875	Increase Court Fees.
S	881	AgRELIEF Act/Cost Share Program.
S	883	Increase Statutory Homestead Exemption.
S	895	Restore Cigarette Tax Stamps.
S	912	Home Purchase Stimulus.
S	915	Repeal County Land Transfer Tax.
S	924	Stock Car Racing Theme Special Plate Change.
S	939	Expand Mill Rehabilitation Tax Credit.
S	951	Special Plate for Phi Beta Sigma.
S	980	Sales Tax Refund for Emerg. Resp. Personnel.
S	994	Establish State Athletics Commission.
S	996	Repeal Combined MV Registration/Tax System.



**FINANCE** (continued)

S	997	Repeal Use Tax Cap on Out-of-State Vehicles.
S	1032	No State Payroll Deductions for Politics.
S	1042	Tech. & Org. Changes/Certain DHHS Facilities.
S	1051	Performance Manage. & Accountability Program.
S	1053	Hwy Use Tax Exemption for Disabled Veterans.
S	1054	Multijurisdictional Industrial Park Exception.
S	1056	Require Firearms Certification/Bail Bondsman.
S	1066	Tax Credit for Alt. Fuel Facilities/Vehicles.
S	1123	Caswell Beach Sewer Treatment Fee.
S	1131	Turnpike Authority Toll Enforcement Changes.
S	1133	Municipal Tax Certification.
S	1155	Reduce Corporate Income Tax.
S	1166	Community College Investment Flexibility.
S	1172	Fair Tax Penalties.
S	1183	IRC Update.
S	1184	Equal Tax on Cigars That Look Like Cigarette.
S	1185	Modernize Sales Tax on Accommodations.
S	1186	Modernize Adm. Tax/Restore Amen. Exclusion.
S	1187	Expand PUV.
S	1188	Improve Tax & Debt Collection Process.
S	1195	Law Enforcement Officers Memorial Plate.
S	1196	Align Cigarette Discount with Costs.
S	1197	Reinstate Cigarette Tax Stamps.
S	1231	ATV and PWC Sales Tax Holiday.
S	1234	Poverty Reduction: Tax Incidence Reports.
S	1252	Reed Gold Mine Revolving Fund.
S	1272	Extend Credit for Oyster Shell Recycling.
S	1295	Matthews Public-Private Projects.
S	1325	Homebuilder Property Tax Deferral Change.
S	1335	Mecklenburg Energy Efficiency/Renewable.
S	1338	Fire Safe Cigarettes.
S	1347	Increase Property Tax Appeals Efficiency.
S	1355	Wilkes County Occupancy Tax.
S	1366	Additional Payments on Delayed Refunds.
S	1367	Increase Property Tax Appeals Efficiency.
S	1371	Extend Renewable Fuel Facility Credit Sunset.
S	1372	Extend Biodiesel Producers Credit Sunset.
S	1373	Extend Art. 3J Sunset.
S	1374	Wood Chipper Sales Tax Exemption.
S	1381	Modify Advert of Tax Lien for Delinquencies.
S	1388	Special Plate for Federal Employees.
S	1394	Interactive Digital Media Credits.
S	1398	Require Tax Incidence Reports.
S	1403	Modify Renewable Energy Property Credit.
S	1407	Lottery Commission Regulate Video Gaming.

**FINANCE (continued)**

S	1409	Boiling Spring Lakes Refund Water Fund.
S	1411	Amend 2008 UNCG COPS Authorization.
S	1412	Greensboro/Collect Past-Due Utility Charges.
S	1424	Institute Tax Credit for Clean Energy Mfg.
S	1426	Lower Corporate Income Tax Rate.
S	1430	Govt. Entity Sales Tax Refund Modification.
S	1431	Increase Property Tax Appeals Efficiency.
S	1432	Lexington Deannexation.
S	1439	New Hanover Limited Privilege Tax.
S	1447	Rockingham/Hunting on Private Land.
H	136	DOT/Fiber-Optic Cable.
H	541	Greensboro Motor Vehicle Levy.
H	594	Increase Disabled Vet Property Tax Exclusion.
H	1000	Alleghany/Surry Delinquent Tax - No Permit.
H	1245	DOT Study Tolling at State Lines/Other States.
H	1336	Amend Irrigation Contractors' Licensing Laws.

**HEALTH CARE**

S	192	Adult Care Home Medication QI Pilot Analysis.
S	193	Strengthen Disaster Planning/LTC Facilities.
S	196	DHHS Workgroup on Mixed Populations ACH.
S	232	Disapprove Medical Care Commission Rules.
S	302	Medicaid Waiver/HIV AIDS Patient Elig.
S	619	Pedorthist Licensure.
S	646	Disapprove Medical Board Rules.
S	671	Establish Policy/Smoking/Foster Care.
S	673	Ban Smoking in Foster Care Setting/Infants.
S	752	Authorize Rules for Food Safety Training.
S	805	DHHS Study/Influenza Vaccine Public Schools.
S	890	Tanning Equip/Raise Age for Prescription.
S	892	Polysomnography Practice Act.
S	906	Establish Adult Day Health Overnight Respite.
S	956	Amend Professional Counselors Act/Fees.
S	977	Obesity Prevention in the Public Schools.
S	1043	Naturopathic Doctors Licensing Act.
S	1189	Adult Day Care Criminal Record Check Process.
S	1190	Update Long-Term Care Statutes.
S	1192	Medicaid Dental/Special Needs Population.
S	1194	Develop Special Needs Dental Care Workforce.
S	1203	Consumer Guidelines for Hearing Aid Purchases.
S	1204	Comsn. on Children with Special Needs-Dentist.
S	1265	Treatment of Autism Disorders.
S	1287	Improve Child Care Nutrition/Activity Stnds.
S	1289	Update Statewide Nutrition Standards.
S	1306	Pilot Independent Assessments by LMEs.

**HEALTH CARE** (continued)

S	1308	Expand Use Of SIS Assessment Tool.
H	143	Strengthen Disaster Planning/LTC Facilities.
H	1014	Organ Donation Month.

**JUDICIARY I**

S	9	Amend Peeping Tom Law.
S	13	Injury to Pregnant Woman/Penalty.
S	19	Use of Additional Technology Prohibited.
S	23	Restraint/Juvenile in Custody/Ct's Discretion.
S	25	Horton Independent Redistricting Comm.
S	26	Injury to Pregnant Women/Additional Offense.
S	46	Internet Libel/Civil and Crim. Offense.
S	123	Warrantless Searches/Probationers & Parolees.
S	150	Presidential Primary in February.
S	153	DMV to Notify Employer of CDL Convictions.
S	157	Eminent Domain.
S	158	Modify Felony Death By Vehicle Penalty.
S	161	Execution/Physician Assistance Authorized.
S	164	Unauthorized Practice of Medicine/Felony.
S	199	Davie's Law/Humane Euthanasia in Shelters.
S	205	Prohibit Smoking in Public & Work Places.
S	219	Report Bicycle Crashes to Law Enforcement.
S	234	Sport Shooting Range Protection.
S	235	Personal Protection in Restaurants.
S	236	Notarized Consent for Minor's Abortion.
S	237	Voting Materials in English.
S	241	Alt. Testimony/Children and Adults with Disab.
S	266	No Sex Offenders on Juries.
S	270	Char/Meck School Board Police.
S	300	Amend Speeding to Elude Arrest Statute.
S	303	Oversight of Licensing Boards.
S	309	Capital Procedure/Severe Mental Disability.
S	318	Mopeds/License, Registration & Financial Resp.
S	335	Transparency in Recommendations.
S	336	Matching Funds Repeal.
S	366	Right to Publicity.
S	417	National Popular Vote Interstate Compact.
S	431	Amend Armed Robbery/Apparent Firearm.
S	440	Establish Gestational Surrogacy Agreements.
S	449	Repeat Offender/False Pretenses.
S	511	Clarify Status of DWI Treatment Courts.
S	527	Amend Second Degree Rape & Sexual Offense.
S	530	Rockingham Bureau of Investigation.
S	587	Set Aside Child Supp./Limited Circumstances.
S	597	Jury Exhibits/Criminal Trials.

**JUDICIARY I** (continued)

S	598	Local Supplementation of Judicial Employees.
S	601	Superior Court Criminal Case Calendaring.
S	602	Medicaid False Claims/Qui Tam Actions.
S	659	Disqualification of Judges/Procedure.
S	664	Safe Storage of Firearms.
S	666	MH Proceedings/No Restraint.
S	679	Uniform Apportionment of Tort Responsibility.
S	680	Increase Penalties for Drug Trafficking.
S	695	Restraining of Dogs.
S	727	Require Chemical Test/Crashes Involving Death.
S	729	Prevent the Theft of Scrap Metals.
S	731	Electoral Freedom Act of 2009.
S	734	Medical Malpractice Settlement Reports.
S	766	Magistrate Appointment Changes.
S	767	Consultation in Appointing Magistrates.
S	784	License Plate Agency Contracting.
S	787	Public Defender Appointment Changes.
S	788	Expunge Nonviolent Felonies/Young Offenders.
S	796	Probation Study.
S	798	Electors Holding Appointive Office.
S	803	Protect Third-Party Purchasers for Value.
S	812	Partition Sales/Buyout Provision.
S	813	Larceny of Metals/Increase Penalty.
S	816	Office of Prosecution Services.
S	821	Limit Liability for Emergency Room Care.
S	858	Judicial Dept/Receipt-Supported Positions.
S	862	Supreme Court Rule Making.
S	901	Bifurcate Medical Malpractice Trials.
S	902	Medical Malpractice Settlement Reports.
S	903	Periodic Payments for Medical Malpractice.
S	904	Appeal Bond for Medical Malpractice.
S	932	Guardianship/Incompetency.
S	934	Habitual Misdemeanor Larceny/Felony.
S	936	Legislative Campaigns Pilot.
S	937	Limited Driving Privilege Changes.
S	938	Municipal Public Campaigns.
S	942	Civil Litigation Costs Reform Act of 2009.
S	946	Guardianship/Court-Appointed Counsel.
S	961	Notice on Liens for HOA Assessments.
S	965	Civil Liability/Prohibited Debt Collection.
S	971	Close Sweepstakes Loophole.
S	972	Study Prison Overcrowding/Nonviolent Felonies.
S	979	Health Care Liability Claims.
S	1026	Local Government Tort Claims Act.
S	1036	Assault on Law Enforcement & EM Worker/Felony.

**JUDICIARY I** (continued)

S	1038	Concealed Carry List/Not Public Record.
S	1045	Amend Sentencing/Drug Violations.
S	1048	Juvenile Jurisdiction to Age 18 Years.
S	1087	Continuous Alcohol Monitoring Systems.
S	1219	Animal Euthanasia Technicians.
S	1239	Ethics TC and Other Changes.
S	1243	DV Cases/Review Criminal Record.
S	1255	Clarify Indirect Gift Analysis.
S	1299	Clarify LP Reporting Requirements.
S	1320	Establish Medicaid Appeals Process.
S	1382	Judicial Department Funding/Interpreters.
S	1383	Safer Streets/DNA Initiatives.
S	1404	Amend Investigative Grand Jury Charge.
S	1408	Divide Superior Court District 13B.
S	1413	Greensboro/Records of Criminal Investigations.
S	1422	Sex Offender Registry/Name Changes.
S	1433	Open State Employee Personnel Files.
H	116	Railroad Corridor Management.
H	275	Sex Offenders Can't be EMS Personnel.
H	307	Set Aside Child Supp./Limited Circumstances.
H	813	Uniform Apportionment of Tort Responsibility.
H	827	Unattended Children in Vehicles.
H	944	Disclosure by Appointees.
H	1048	Modify Campaign Ad Laws.
H	1134	Open Government Act.
H	1317	Sex Offender Registry Changes.
H	1421	Election Amendments.
H	1476	Gov. Immunity/Adequacy of Remedies.
H	1874	Chapter 50B Fee Clarification.

**JUDICIARY II**

S	7	Allow Hunting on Sunday.
S	96	No "Texting" While Driving.
S	178	Repeal Ban G.S. 95-98.
S	277	Strengthen Child Labor Violation Penalties.
S	454	DOT/Fiber-Optic Cable.
S	589	Plan to Eliminate Mandatory Min. Sentences.
S	612	Partition Sales/Extend Report & Answer Times.
S	613	Partition Sales/Commrs., Sellers, Buyers.
S	614	Partition Sales/Notice, Credit, Appraisal.
S	639	Clarify WC Claim Deadline/Ins. Guaranty Assn.
S	693	Public Guardianship/Training/Education.
S	819	Abolish Certain Deficiency Judgments.
S	843	Nondiscrimination in State Employment.
S	850	Liens/Condominiums and Planned Communities.

**JUDICIARY II** (continued)

S	852	Alcohol Screening Device Test Results.
S	854	Venue/Municipalities in Multiple Districts.
S	880	Certificates of Rehabilitation.
S	926	Misbranding of Bottled NC Spring Water.
S	930	Workers' Comp/Firefighter Occupat'l Diseases.
S	987	Safe Storage of Firearms.
S	1013	Citizens' Right To Know Act/Pretrial Release.
S	1031	Limit Necessities Doctrine/Health Care Debt.
S	1090	Amend Civil Procedure Rule 4.
S	1112	Modernization of the State ABC System.
S	1180	Implement Gender Neutral Terms.
S	1436	Graham County Relief.
H	388	Campaign Disclosure.
H	1447	Crime Stoppers Tips Are Confidential.
H	1740	General Statutes Comm. Technical Corrections.

**MENTAL HEALTH & YOUTH SERVICES**

S	223	Joint DV Committee/Recommendations.
S	611	State Funds Accountability/DD Services.
S	615	DHHS Support/Persons w/Dev. Disabilities.

**PENSIONS & RETIREMENT & AGING**

S	34	Increase Fire and Rescue Benefits.
S	469	Jeanne Hopkins Lucas Act.
S	557	Remove Restriction/LEO Disability Benefits.
S	599	Appellate Clerks in Judicial Retire. System.
S	624	25-Year Law Enforcement Retirement.
S	702	Extend Phased Retirement Program Exemption.
S	908	Fire and Rescue Separation Allowances.
S	1059	Provide COLAs for Retirees.
S	1336	Amend Charlotte Firefighters' Retirement.
S	1341	Amend Judicial Retirement System.
S	1346	State Health Plan/Add Local Government.
S	1401	Emergency Fund for LEO's in Mecklenburg Co.
S	1402	Mecklenburg Law Enforcement Benefit Cap Upped.
S	1423	State Health Plan/Local Govt Retiree Contrib.
S	1450	State Retirement Age and Service Change.
H	2055	State Health Plan/Local Govt Retiree Contrib.

**RULES AND OPERATIONS OF THE SENATE**

S	21	Organ Donation Awareness Month.
S	62	Burgaw/Official State Blueberry Festival.
S	83	23rd Senatorial District Local Act.
S	92	Honor John Brown.
S	100	Study Innovations/Incentives in Education.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	115	Gaston County Local Act.
S	120	13th Senatorial District Local Act.
S	129	6th Senatorial District Local Act.
S	152	26th Senatorial District Local Act.
S	166	Disapprove Jordan Lake Rules.
S	168	29th Senatorial District Local Act.
S	171	Union County Local Act.
S	174	9th Senatorial District Local Act.
S	182	Honor Bob Scott.
S	183	19th Senatorial District Local Act.
S	201	32nd Senatorial District Local Act.
S	209	10th Senatorial District Local Act.
S	211	2nd Senatorial District Local Act.
S	231	11th Senatorial District Local Act.
S	238	Study State Contracts w/Minority Businesses.
S	263	33rd Senatorial District Local Act.
S	284	8th Senatorial District Local Act.
S	301	Honor Theodore Kinney.
S	317	48th Senatorial District Local Act.
S	328	46th Senatorial District Local Act.
S	340	44th Senatorial District Local Act.
S	342	Study Grandparents' Visitation Rights.
S	347	41st Senatorial District Local Act.
S	350	Honor Chief Roscoe Jacobs, Sr.
S	353	NC Human Trafficking Commission.
S	361	36th Senatorial District Local Act.
S	371	Honor Richard John Matthews.
S	382	38th Senatorial District Local Act.
S	384	50th Senatorial District Local Act.
S	392	34th Senatorial District Local Act.
S	402	7th Senatorial District Local Act.
S	418	Study Community College Construction Process.
S	421	5th Senatorial District Local Act.
S	471	Pay Equity Study.
S	496	Ex-Offender Reentry Study.
S	555	Buncombe County Local Act.
S	571	Televised Legislative Session.
S	593	Honor Kay Yow.
S	594	Study Existing Children/Youth Programs.
S	635	Equity Formula Study Commission.
S	644	Study of High School Programs at Comm. Coll.
S	651	Study NC Govt to Up Alternative Energy Use.
S	672	Study/Smoking Ban/Foster Care Homes.
S	716	2010 Ethics and Government Reform Changes.
S	732	Est. Study Comm./Early Childhood Programs.

**RULES AND OPERATIONS OF THE SENATE** (continued)

S	746	Energy, Science & Technology Recommendations.
S	769	Study DNR Orders/Decl. of Natural Death.
S	775	Study Prepaid Wireless Service Charges.
S	801	2009 President Pro Temp's Appointments.
S	830	Roadside Campaign Signs.
S	869	Study/After School Child Care Programs.
S	872	Study/Standards/Disputed Child Custody Cases.
S	873	Amend the Laws.
S	879	Study Off-Shore Drilling Revenues.
S	905	Parent Provide Illegal Drugs to Child/Study.
S	940	Study Flexibility/Certified Nurse Midwives.
S	944	Study/Autism Spectrum Disorders.
S	945	Guardianship Study.
S	948	Study Comm./Youth Aging Out of Foster Care.
S	952	Honor Horace Kornegay.
S	995	Restore Prior Appt. Process/Auctioneers Comm.
S	1012	Home Schoolers in Public School Prog./Study.
S	1022	School Calendar Flexibility/Inclement Weather.
S	1033	Study/Head Injuries in High School Athletics.
S	1041	Study Certificate of Need.
S	1046	Study Sentencing and Prison Overcrowding.
S	1060	Study Retirement and Health Benefits.
S	1061	Study Medical Treatments/Prescription Drugs.
S	1063	Study/Erasing Arrears/Incarcerated Parents.
S	1064	Est. Family Violence & Child Custody Comm.
S	1077	Remove E-NC Sunset.
S	1085	Legislative Commission on Gasoline Shortages.
S	1095	Honor John Hope Franklin.
S	1111	Authorizing Resolution/Susie's Law.
S	1116	Study/Early Childhood Education and Care.
S	1124	Authorizing/Amend Permit Extensions Act.
S	1134	Protect Health Care Freedom.
S	1137	Honor Bob Hensley.
S	1144	Disapprove Deer Season Rule Change.
S	1156	Defense of Marriage.
S	1157	10th Amendment/Health Reform.
S	1173	Crossbow Use/Disapprove Rule.
S	1174	Auth/Abolish Higher Ed Bond Oversight Comm.
S	1175	Abolish Higher Education Bond Oversight Comm.
S	1178	No Felon as Sheriff.
S	1179	Extend Zoo Funds & Org. Study Committee.
S	1208	13th Senatorial District Local Act-2.
S	1217	State Investment Study Technical Correction.
S	1220	Study Carbon Offsets and Carbon Sequestration.
S	1224	Study - NC Programs That Impact Environment.



**RULES AND OPERATIONS OF THE SENATE** (continued)

S	1225	Energy Policy Council Green Energy Study.
S	1226	Inventory of Antipoverty Efforts.
S	1229	Permanent Poverty Study.
S	1232	Poverty Reduction: ARRA Modifications.
S	1236	Annexing Low-Income Areas.
S	1241	Domestic Violence Training for Judges.
S	1249	Study Raising Compulsory Attendance Age.
S	1257	Honor Transylvania County's 150th.
S	1264	Cherokee School Board Terms.
S	1271	Study FMP Development Process.
S	1305	Prgm Eval Study Agency Reversal ALJ Decision.
S	1334	Susie's Law.
S	1342	2010 President Pro Tem's Appointments.
S	1349	Failure to Carry or Complete Alien Reg. Docs.
S	1353	DCR Study Endor Iron Furnace/Funds.
S	1354	Cumberland County Local Act-1.
S	1360	Burke County Local Act.
S	1365	Authorizing Incr. Penalty/Ins. Fiduciaries.
S	1379	Disapprove Rule.
S	1380	Disapprove Rule.
S	1405	Amend Conditional Discharge/1st Drug Offense.
S	1416	Study Impact Of Toxins On Health.
S	1419	Regulate Certain Coal-Ash Structural Fill.
S	1425	Study State E-Commerce/Financial Transactions.
S	1427	LRC Study Consolidation/State Agencies.
S	1429	Amend Racial Justice Act.
S	1440	Create Broadband-Smart Grid Task Force.
S	1441	e-NC/Request NC Pilot for LifeLine OnLine.
S	1442	E-NC Connectivity/Economic Development Funds.
S	1449	Incorporate Lake James.
S	1451	Consider Cancellation and Expunction.
S	1452	Make Synthetic Cannabinoids Illegal.
S	1453	Honor Pat Taylor, Sr. and Jr.
S	1457	Study Comm. College & UNC Demographics.
S	1458	Disapprove Rule/Fugitive Dust Emissions.
S	1459	Albemarle Electric System's 100th Anniversary.
S	1461	Honor Duke Lacrosse Team.
H	188	Study Raising Compulsory Attendance Age.
H	524	Annexation - Omnibus Changes.
H	529	Edgecombe/No Hunting on the Land of Another.
H	562	Honor Jack Lucas.
H	690	Honor Fallen Member/Salisbury Fire Department.
H	1527	Honor Hertford County's 250th Anniversary.
H	1658	Honor Walter Cronkite.
H	1659	Eminent Domain.

**RULES AND OPERATIONS OF THE SENATE** (continued)

H	1790	Honor Transylvania County's 150th.
H	1801	Environmental Technical Corrections 2010.
H	1804	Energy Policy Council Green Energy Study.
H	1901	Honor George Holmes.
H	1908	Honor Ernest Bishop, Jr.
H	2038	CPR Awareness Week.

**SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS**

S	58	State Health Plan - Hendersonville.
S	77	Town of Hobgood/State Health Plan.
S	331	Five County LME/State Health Plan.
S	519	State Health Plan/First Day Coverage.
S	522	Southeastern MH/DD/SA/State Hlth Plan.
S	1037	Mandatory Physical Exams/State Health Plan.
S	1039	State Health Plan/No Abortion Coverage.

**SELECT COMMITTEE ON ENERGY, SCIENCE AND TECHNOLOGY**

S	1024	NC 2050 Sustainability Task Force.
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**STATE AND LOCAL GOVERNMENT**

S	28	Regulation of Golf Carts in Stanfield.
S	63	Regulation of Golf Carts in Marvin.
S	67	Greensboro/Restore Zoning Protest Rights.
S	103	Regulation of Golf Carts in Stallings.
S	104	Clinton/Overgrown Vegetation Ordinance.
S	145	Regulation of Golf Carts in Bethel.
S	176	Reg. of Golf Carts in Swansboro/Holly Ridge.
S	197	Regulation of Golf Carts in Winterville.
S	249	Alamance Ag. Fairs/Carnival Permits.
S	288	Regulation of Golf Carts in Hendersonville.
S	337	NC Illegal Immigration Reform Act.
S	360	Repeal Statesville Police Act.
S	370	Holly Springs Design Build.
S	395	Carrboro/Housing Discrimination.
S	415	Greensboro City Attorney Appointment.
S	416	Greensboro Manager Enter Service Contracts.
S	427	Restore Contract Rights to State/Local.
S	459	Rocky Mount/Fair Housing Ordinance.
S	480	Regulation of Golf Carts in Pikeville.
S	506	Holly Springs/911 Fund Uses.
S	533	Clayton/Electronic Notices.
S	537	Expand Airport Commission of Forsyth County.
S	544	Expand Cumberland County Board of Education.
S	547	Chatham TDR.

**STATE AND LOCAL GOVERNMENT (continued)**

S	551	Regulate Cost of Nonconsensual Towing.
S	552	Amendments to the Sullivan Act.
S	596	Filling Vacancies in Local Offices.
S	730	Local Gov't Official Recuse From Voting.
S	808	Federal Reservation Statute.
S	941	Eligibility Requirements/Public Assistance.
S	973	Create Dept. of Military & Veterans Affairs.
S	1074	Wildlife Protectors/Public Safety Stops.
S	1113	Carrboro Energy Efficiency/Renewable.
S	1122	Burlington Economic Development.
S	1207	New Hanover ABC Board Membership.
S	1420	Forest City/Convey Property.
S	1443	Kannapolis Subdivision Ordinances.
S	1448	Greensboro City Manager/Contracts.
H	300	King/Public Nuisance Ordinance.
H	402	No Elected Off. Recomm./Certain Co./Notaries.
H	488	First Craven Sanitary District Validation.
H	946	Bear Paw Service District/Motor Vehicle Laws.
H	1010	Greensboro City Attorney Appointment.
H	1728	Carteret Schools May Administer Oath.
H	2050	Winston-Salem/Council Meetings.
H	2059	Winston-Salem/Informal Bids Electronically.

**TRANSPORTATION**

S	39	Garbage Collection Trucks Parking on Highways.
S	888	Speed Limit Signs at Highway On-Ramps.
S	1132	Motor Vehicles Law Changes.
S	1159	DOT Powers and Duties Changes.
S	1168	Create Aviation Management Division.

**WAYS & MEANS**

S	87	Taxpayers' Protection Act.
S	108	Management of the Striped Bass Fishery.
S	118	Four-Year Term Implementing.
S	119	Four-Year Terms.
S	156	Session Limits.
S	272	Defense of Marriage.
S	329	Right to Hunt.
S	351	No Felon as Sheriff.
S	728	People's Veto.
S	878	Judicial Appointment/Voter Retention.
S	1014	Lottery Trust Fund.

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**APPENDIX**

**SENATE JOURNAL**

**2009 SESSION**

**SECOND SESSION**

**2010**





**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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**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 during the 2010 Legislative Session. The full text of Executive Orders 21 through 60 issued by Governor Beverly Eaves Perdue can be found in the Session Laws of the 2010 General Assembly.

<b>Executive Order</b>	<b>Title</b>	<b>Date of Issuance</b>
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Executive Orders received from Governor Beverly Eaves Perdue are presented to the Senate, read, and ordered filed in the Office of the Principal Clerk, as follows:

21	Reduce Monthly Budget Allotments for the 2009-10 Fiscal Year.	August 14, 2009
22	Amending and Extending Executive Order No. 128, Governor's Advisory Council on Hispanic/Latino Affairs.	September 4, 2009
23	Governor's Scientific Advisory Panel on Offshore Energy.	September 18, 2009
24	Regarding Gifts to State Employees.	October 1, 2009
25	Amending Executive Order No. 12, Streetsafe Task Force.	October 5, 2009
26	Reestablishing the Governor's Task Force for Healthy Carolinians.	October 8, 2009
27	Proclamation of a State of Emergency by the Governor of the State of North Carolina.	October 28, 2009
28	Reestablishing the North Carolina Film Council.	November 12, 2009
29	Establishing the North Carolina Innovation Council.	November 16, 2009

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|----|---|-------------------|
| 30 | Proclamation of a State of Emergency by the Governor of the State of North Carolina.                                    | November 16, 2009 |
| 31 | Immediate Eligibility for Unemployment Benefits in Wake of Major Industrial Disaster in Wake County.                    | November 24, 2009 |
| 32 | Governor's Logistics Task Force.  | December 8, 2009  |
| 33 | Establishment of the North Carolina Complete Count Committee.   | December 9, 2009  |
| 34 | Ethics and Attendance Standards for Gubernatorial Appointees to Boards.   | December 9, 2009  |
| 35 | Ethics Standards for Certain Boards.  | December 9, 2009  |
| 36 | Designation of Certain State Employees and Appointees as Covered Public Servants under the State Government Ethics Act. | December 9, 2009  |
| 37 | North Carolina Emergency Response Commission.   | December 15, 2009 |
| 38 | Reestablishing the Food Safety and Defense Task Force.  | December 15, 2009 |
| 39 | Replacing Executive Order No. 124, Statewide Flexible Benefits Program.   | December 15, 2009 |
| 40 | Replacing Executive Order No. 133, Juvenile Justice Planning Committee.   | December 15, 2009 |
| 41 | Reestablishing the North Carolina Commission on Volunteerism and Community Service.                                     | December 17, 2009 |
| 42 | Emergency Relief for Damage caused by Ice/Snow Storm.   | December 18, 2009 |
| 43 | Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies throughout the State.                | January 7, 2010   |
| 44 | Proclamation of a State of Emergency by the Governor of the State of North Carolina.                                    | January 21, 2010  |

- |    |   |                   |
|----|---|-------------------|
| 45 | To Facilitate Employee Access to State Facilities and Cabinet Agency Leaders.                                     | January 21, 2010  |
| 46 | Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services Throughout the State. | January 29, 2010  |
| 47 | Proclamation of a State of Emergency by the Governor of the State of North Carolina due to a Winter Storm.        | January 30, 2010  |
| 48 | Temporary Suspension of Motor Vehicle Regulations to Transport Essential Feed and Supplies to Poultry Farms.      | February 5, 2010  |
| 49 | North Carolina Motorsports Advisory Council.  | February 11, 2010 |
| 50 | Enhanced Purchasing Opportunities for North Carolina Businesses.  | February 17, 2010 |
| 51 | Governor's Teacher Advisory Committee.  | March 2, 2010     |
| 52 | Amending and Extending Executive Order No. 139, North Carolina State Health Coordinating Council.                 | March 2, 2010     |
| 53 | Proclamation of a State of Disaster for Towns of Nags Head and Kitty Hawk.  | March 24, 2010    |
| 54 | Assessment of State's Readiness for Aging Population.   | March 30, 2010    |
| 55 | Enhanced Disclosures from Applicants to Boards and Commissions.   | April 5, 2010     |
| 56 | Proclamation of a State of Disaster for Davidson and Guilford Counties.   | April 7, 2010     |
| 57 | North Carolina Interagency Council for Coordinating Homeless Programs.  | April 13, 2010    |
| 58 | Emergency Relief for Damage Caused by Flooding in the State of Tennessee.   | May 8, 2010       |

59 Proclamation of a State of Disaster for  
Hoke County.

May 25, 2010

60 Proclamation of a State of Disaster for  
Town of Highlands.

May 25, 2010

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**SENATE COMMITTEE ASSIGNMENTS****COMMITTEE                    STANDING MEETING TIME/ROOM****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 Davis
<b>Vice Chairman</b>	Senator Kinnaird
<b>Vice Chairman</b>	Senator Walters
<b>Members</b>	Senators Albertson, Bingham, Brock, Brown, Clodfelter, Hartsell, Preston, Queen, Rouzer, Snow, Tillman

**APPROPRIATIONS/BASE BUDGET****Tues/Wed/Thurs--643 - LOB--8:30 AM**

<b>Co-Chairman</b>	Senator Garrou
<b>Co-Chairman</b>	Senator Albertson
<b>Co-Chairman</b>	Senator Swindell
<b>Co-Chairman</b>	Senator Dannelly
<b>Members</b>	Senators Apodaca, Atwater, D. Berger, P. Berger, Bingham, Blake, Blue, Boseman, Brock, Brown, Brunstetter, Clary, Clodfelter, Davis, Dickson, Dorsett, East, Fariest, Forrester, Goss, Graham, Hartsell, Hoyle, Hunt, Jacumin, Jenkins, Jones, Kinnaird, McKissick, Nesbitt, Preston, Purcell, Queen, Rouzer, Rucho, Shaw, Snow, Soles, Stein, Stevens, Tillman, Vaughan, Walters

**APPROPRIATIONS ON DEPARTMENT OF TRANSPORTATION****Tues/Wed/Thurs--1027 - LB--8:30 AM**

<b>Co-Chairman</b>	Senator Goss
<b>Co-Chairman</b>	Senator Graham
<b>Members</b>	Senators P. Berger, Brown, Hunt, Jenkins, Rucho, Shaw, Stein

**APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION****Tues/Wed/Thurs--414 - LOB--8:30 AM**

<b>Co-Chairman</b>	Senator Foriest
<b>Co-Chairman</b>	Senator Stevens
<b>Vice Chairman</b>	Senator Boseman
<b>Members</b>	Senators Blue, Davis, Dickson, Hartsell, Preston, Tillman, Vaughan

**APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY****Tues/Wed/Thurs--1124 - LB--8:30 AM**

<b>Co-Chairman</b>	Senator Dorsett
<b>Co-Chairman</b>	Senator Atwater
<b>Members</b>	Senators Brock, East, Hoyle

**APPROPRIATIONS ON HEALTH AND HUMAN SERVICES****Tues/Wed/Thurs--422 - LOB--8:30 AM**

<b>Co-Chairman</b>	Senator Purcell
<b>Co-Chairman</b>	Senator D. Berger
<b>Vice Chairman</b>	Senator Nesbitt
<b>Members</b>	Senators Blake, Clary, Dannelly, Forrester

**APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY****Tues/Wed/Thurs--415 - LOB--8:30 AM**

<b>Co-Chairman</b>	Senator Snow
<b>Co-Chairman</b>	Senator Kinnaird
<b>Vice Chairman</b>	Senator Clodfelter
<b>Members</b>	Senators Apodaca, Bingham, Brunstetter, Jones, Soles

**APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES****Tues/Wed/Thurs--423 - LOB--8:30 AM**

<b>Co-Chairman</b>	Senator Queen
<b>Co-Chairman</b>	Senator McKissick
<b>Members</b>	Senators Jacumin, Rouzer, Walters

**COMMERCE****Tues/Thurs--1027 - LB--11:00 AM**

<b>Chairman</b>	Senator Soles
<b>Vice Chairman</b>	Senator Hoyle
<b>Vice Chairman</b>	Senator McKissick
<b>Vice Chairman</b>	Senator Dickson

**COMMERCE (continued)****Members**

Senators Apodaca, D. Berger,  
P. Berger, Blake, Blue, Boseman,  
Brunstetter, Clary, Dorsett,  
Fariest, Forrester, Garrou,  
Goodall, Goss, Graham, Hunt,  
Jacumin, Jenkins, Nesbitt, Purcell,  
Rucho, Shaw, Stein, Stevens,  
Swindell, Vaughan

**EDUCATION/HIGHER EDUCATION****Wed--643 - LOB--10:00 AM****Co-Chairman**

Senator Fariest

**Co-Chairman**

Senator Stevens

**Vice Chairman**

Senator Boseman

**Vice Chairman**

Senator Dorsett

**Vice Chairman**

Senator Queen

**Members**

Senators Allran, Apodaca, D. Berger,  
P. Berger, Brown, Dannelly,  
Davis, Dickson, Forrester, Garrou,  
Goodall, Graham, Hartsell, Hoyle,  
Jones, McKissick, Nesbitt,  
Preston, Purcell, Rucho, Snow,  
Stein, Swindell, Tillman

**FINANCE****Tues/Wed--544 LOB--1:00 PM****Co-Chairman**

Senator Clodfelter

**Co-Chairman**

Senator Jenkins

**Vice Chairman**

Senator Hartsell

**Vice Chairman**

Senator Shaw

**Members**

Senators Albertson, Allran, Apodaca,  
Atwater, P. Berger, Blake, Blue,  
Boseman, Brock, Brown,  
Dannelly, Dickson, East, Fariest,  
Garrou, Goodall, Goss, Hoyle,  
Hunt, Kinnaird, McKissick,  
Nesbitt, Preston, Purcell, Queen,  
Rouzer, Rucho, Soles, Stein,  
Stevens, Swindell, Tillman,  
Walters

**HEALTH CARE****Wed--544 - LOB--11:00 AM****Co-Chairman**

Senator Purcell

**Co-Chairman**

Senator Bingham

**HEALTH CARE (continued)**

<b>Vice Chairman</b>	Senator Dorsett
<b>Vice Chairman</b>	Senator Foriest
<b>Vice Chairman</b>	Senator Forrester
<b>Members</b>	Senators Atwater, Allran, D. Berger, Blake, Brown, Brunstetter, Clary, Dannelly, Davis, Goodall, Goss, Graham, Hartsell, Hoyle, Jacumin, Kinnaird, Nesbitt, Queen, Rouzer, Rucho, Stein

**JUDICIARY I****Tues/Thurs--1027 - LB--10:00 AM**

<b>Chairman</b>	Senator Nesbitt
<b>Vice Chairman</b>	Senator Clodfelter
<b>Vice Chairman</b>	Senator Brunstetter
<b>Vice Chairman</b>	Senator Soles
<b>Vice Chairman</b>	Senator Stein
<b>Members</b>	Senators Albertson, P. Berger, Blue, Brock, Brown, Clary, Dickson, Graham, Hoyle, Jenkins, Kinnaird, McKissick, Rouzer, Stevens, Tillman

**JUDICIARY II****Tues/Thurs--1124 - LB--10:00 AM**

<b>Chairman</b>	Senator Hartsell
<b>Vice Chairman</b>	Senator Allran
<b>Vice Chairman</b>	Senator Vaughan
<b>Vice Chairman</b>	Senator Jones
<b>Members</b>	Senators Apodaca, Atwater, D. Berger, Bingham, Boseman, Dannelly, Dorsett, Forrester, Goodall, Jacumin, Queen, Snow, Swindell

**MENTAL HEALTH & YOUTH SERVICES****Wed--414 - LOB--12:00 Noon**

<b>Co-Chairman</b>	Senator Kinnaird
<b>Co-Chairman</b>	Senator Graham
<b>Vice Chairman</b>	Senator Nesbitt
<b>Members</b>	Senators Dannelly, Forrester, Jacumin, Jones, Shaw, Snow



**PENSIONS, RETIREMENT & AGING****Wed--423 - LOB--12:00 Noon**

**Chairman** Senator Foriest  
**Vice Chairman** Senator Garrou  
**Members** Senators Albertson, Atwater, Bingham,  
 Clodfelter, Dorsett, East, Jenkins,  
 Preston, Purcell, Queen, Stevens,  
 Swindell

**RULES AND OPERATIONS OF THE SENATE****Upon Call of Chairman**

**Chairman** Senator Hoyle  
**Vice Chairman** Senator Soles  
**Members** Senators Albertson, P. Berger,  
 Bingham, Blue, Boseman, Brock,  
 Brunstetter, Clary, Clodfelter,  
 Dickson, Dorsett, Forrester,  
 Hartsell, Jones, Kinnaird, Nesbitt,  
 Preston, Stevens, Swindell

**STATE AND LOCAL GOVERNMENT****Tues--1124 - LB--12:00 Noon**

**Co-Chairman** Senator Jones  
**Co-Chairman** Senator East  
**Vice Chairman** Senator Dorsett  
**Members** Senators Albertson, Apodaca, P.  
 Berger, Blake, Boseman, Davis,  
 Hartsell, McKissick, Queen, Soles,  
 Stevens, Walters

**TRANSPORTATION****Wed--1027 - LB--11:00 AM**

**Co-Chairman** Senator Shaw  
**Co-Chairman** Senator Boseman  
**Vice Chairman** Senator Goss  
**Vice Chairman** Senator Jenkins  
**Members** Senators Apodaca, P. Berger, Brown,  
 Davis, Dickson, East,  
 Goodall, Graham, Hoyle, Hunt,  
 McKissick, Preston, Snow,  
 Soles, Stevens, Swindell, Tillman,  
 Vaughan, Walters

**WAYS AND MEANS**

**Chairman** Senator Dannelly  
**Members** Senators Albertson, Atwater, Bingham,  
Blue, Forrester, Goss, Hartsell,  
Hoyle, Jones, Swindell

**SELECT COMMITTEES****SELECT COMMITTEE ON ECONOMIC RECOVERY**

**Chairman** Senator Nesbitt  
**Members** Senators Allran, D. Berger, Blue,  
Davis, Hartsell, Kinnaird,  
McKissick, Preston, Rouzer,  
Soles, Stein, Vaughan

**SELECT COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS**

**Chairman** Senator Blue  
**Members** Senators Apodaca, Atwater,  
Clodfelter, Dannelly, Forrester,  
Garrou, Hoyle, Purcell,  
Stevens

**SELECT COMMITTEE ON ENERGY, SCIENCE AND TECHNOLOGY**

**Co-Chairman** Senator Dorsett  
**Co-Chairman** Senator Queen  
**Members** Senators Albertson, Atwater, Brock,  
Brown, Clary, Clodfelter, Davis,  
Hartsell, Rouzer, Stein, Stevens,  
Swindell, Vaughan, Walters

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**SENATE STAFF****OFFICE OF THE PRESIDENT**

Lieutenant Governor	Walter H. Dalton
Chief of Staff	Caroline Valand
Deputy Chief of Staff	Kimberly Reynolds
Executive Assistant	Barbara O'Sullivan
Communications Director	Karla Buitrago
Director of Policy	Mike McLaughlin
General Counsel	Cynthia O'Neal
Scheduler	Jason Pate
Constituent Services	Seth Palmer
Administrative Assistant	Jamie Almond
Security	Trooper Brian Lane Trooper Kevin Horne

**OFFICE OF THE PRESIDENT *PRO TEMPORE***

President <i>Pro Tempore</i>	Marc Basnight
Chief of Staff	Amy Fulk
General Counsel	Beth Braswell
Director, Citizen and Government Affairs	Angela Talton
Director, Member Services and Legislative Research	Mary King
Director, Constituent Services	Suzell Crosswhite
Director, Boards and Commissions	Lea Dunn Tackett
Director, Special Projects	Chris Dillon
Director, Communications	Schorr Johnson
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	Martin Nesbitt
Legislative Assistant	Janette Lee
Legislative Assistant	Evelyn Costello
General Counsel	Amy Bason
Research Assistant	Jessica Proctor

**OFFICE OF THE SENATE REPUBLICAN LEADER**

Republican Leader	Phil Berger
Administrative Assistant	Darrell Malcolm
Legislative Assistant	Barbara Eldridge

Legislative Assistant	Peggy Halifax
Research Assistant	Cody Hand
Research Assistant	Brent Woodcox

**OFFICE OF THE PRINCIPAL CLERK**

Principal Clerk	Janet B. Pruitt
Administrative Clerks	Paul Curry
	Joan Jones
Assistants	Adam Austin
	Sharon Evans
	Charlotte Johnston
	Shirley Parker
	Bing Ruitter
	Mary Elizabeth Smith
	Jennah Starr
	Peggy Telfair
	Susie Thompson
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	Rochester White
Stanley Johnson	Leslie Wright
Charles Marsalis	Robert Young
Mary Perry	

**OFFICE OF LEGISLATIVE ASSISTANTS**

Director	Joyce Hodge
Administrative Assistant	Delta Prince

**READING CLERK**

Ted Harrison

**SENATE LEGISLATIVE STAFF**

Irma Avent-Hurst	Senator Jones
Beverlee Baker	Senator Boseman
Amy Bason	Senator Nesbitt
Jessica Bennett Proctor	Senator Nesbitt
Gail Bishop	Senator Garrou
Janet Black	Senator Brock
Airen Blaine	Senator Apodaca
Lorraine Blake	Substitute
Janet Blalock	Senator Soles

Brice Bratcher	Senator Doug Berger
Aaron Brown	Senator Purcell
Jesse Bullock	Senator Jones
Rebecca Butler	Senator Snow
Phyllis Cameron	Senator Dorsett
Mary Watson Cannon	Substitute
Suzanne Castleberry	Senator Preston
Judy Chriscoe	Senator Bingham
Genie Clark	Senator Brunstetter
Evelyn Costello	Senator Nesbitt
Cindy Davis	Senator Albertson
Kathy Davis	Senator Hunt
Mary Demolli	Substitute
Andrew Dugan	Senator Garrou
Judy Edwards	Senator Rouzer
Barbara Eldridge	Senator Phil Berger
Brittany Eller	Senator Goss
Patsy Ethridge	Substitute
Alice Falcone	Senator Jacumin
Candace Finley	Senator Stein
Mona Fitzgerald	Senator Soles
Cindy Garrison	Senator Goss
Carolyn Gooden	Senator Jenkins
Misty Greene	Senator Clary
Susanne Gunter	Senator Brown
Peggy Halifax	Senator Phil Berger
Yvonne Hall	Senator Tillman
Cody Hand	Senator Phil Berger
Amber Harris	Senator Foriest
Evelyn Hartsell	Substitute
Becky Hedspeth	Senator Purcell
Katherine Herington	Senator Forrester
Dee Hodge	Senator Dannelly
Marilyn Holder	Senator Jacumin
Laura Holt-Kabel	Senator Boseman
Mo Hudson	Senator Swindell
Gerry Johnson	Senator Hartsell
Wanda Joyner	Senator Clodfelter
Dora King-Morgan	Senator Vaughan
Anna Kidd	Senator Blake
Maria Kinnaird	Senator Kinnaird
James Kirby	Senator Queen
Joan Leatherman	Senator Soles
Brenda Lee	Senator Dickson
Jan Lee	Senator Nesbitt

Rosita Littlejohn	Senator McKissick
Helen Long	Senator Rucho
Jessica Macaluso	Senator Swindell
Darrell Malcolm	Senator Phil Berger
DeAnne Mangum	Finance
Mary Marchman	Senator Stevens
Meghan McCarthy	Senator Jenkins
Nikki McDougald	Senator Shaw
Nicole McGuinness	Senator Apodaca
Barbara J. McMillan	Senator Blue
Bonnie McNeil	Senator Blue
Daladier Miller	Appropriations on Department of Transportation
Anne Misenheimer	Senator East
Sarah Murphy	Substitute
Lisa Nelson	Senator Queen
Sherry Pearson	Senator Dorsett
Joseph Peele	Senator McKissick
Barbara Perryman	Substitute
Alexis Pugh	Senator Shaw
Will Quick	Senator Walters
Jasmine Rascoe	Senator Graham
Jackie Ray	Senator Foriest
Carol Resar	Senator Atwater
Patrick Robinson	Senator Jenkins
Ericka Shearin	Senator Doug Berger
Jason Smith	Senator Snow
Jan Sommer	Senator Hoyle
Vickie Spears	Senator Walters
Joseph Stansbury	Senator Goodall
Carole Walker	Senator Allran
Steven Webb	Senator Albertson
Da'Neen Weeks	Senator Graham
Penny Williams	Senator Hoyle
Brent Woodcox	Senator Phil Berger
Monica Yelverton	Senator Davis
Kathie Young	Senator Kinnaird

**SENATE INTERNS 2010 SESSION**

Alexander Adcock	Senator Clodfelter
Tom Allison	Senator Clary
Ashley Berger	Senator Apodaca
Robert Broome	Senator Jacumin
Hamilton Brown	Senator Shaw
Desemera Gatewood	Senator Doug Berger
Matthew Web Bostic	Senator Dickson

Khiry Bright	Senator Dorsett
Brian Bulla	Senator Queen
Airen Cannon	Senator Foriest
Michael Chiulli	Senator Forrester
Zachery Cieslinski	Senator Jones
Robert Cratch	Senator Vaughan
Aaron Dancy	Senator East
Forrest Flemming	Senator Stevens
Brianna Fonville	Senator Shaw
Nitin Goel	Senator Blue
Keith Gordon	Senator Goodall
Linden Guinn	Senator Dannelly
Sarah Hardin	Senator Brunstetter
Matthew Herchenroder	Senator Davis
Paige Hixon	Senator Garrou
Grace Holtkamp	Senator Stein
Mallory Horne	Senator Vaughan
Mary Lynn Jennings	Senator Jenkins
Markia Jeter	Senator Graham
Demetrius Jones	Senator Garrou
Jeb Kelly	Senator Tillman
Steven Kouba	Senator Rouzer
Alexander Leiro	Senator Kinnard
Russell Lewis	Senator Preston
Marcus Little	Senator Dorsett
Carolyn Mayer	Senator Bingham
Charles McDowell	Senator Phil Berger
Jessica Meed	Senator Doug Berger
Santana Miller	Senator Kinnaird
Elyse Nieves	Senator Purcell
David Orsbon	Senator Hartsell
Lisa Purcell	Senator Swindell
Elise Quick	Senator Brown
Austin Rouse	Senator Nesbitt
Allison Sidbury	Senator Boseman
Chris Stanley	Senator Brock
Stephanie Solove	Senator Walters
Robert Spencer	Senator Hoyle
Ralph Stockton	Senator Stevens
Dana Sutis	Senator Blake
Shilanka Ware	Senator Dorsett
Shannon Williams	Senator McKissick

**SENATE CHAPLAIN**

The Reverend Mike Morris

**SENATE TAX COUNSEL**

Sabra Faires

**SENATE PAGES  
2010 SESSION**

Hayden Abene, Clayton  
Cierra Accor, Gastonia  
Taylor Adams, Gastonia  
Esham Ahmed, Hickory  
Andres Ainolhayat, Fayetteville  
Andrew Allen, Raleigh  
Summer Allen, Emerald Isle  
Josh Altman, Laurinburg  
Julia Amend, Rocky Mount  
Nicholas Ammons, Laurinburg  
Margaret Anagnos, Boone  
Hannah Anderson, Tar Heel  
Kelly Anderson, Charlotte  
Austin Andrews, Hamlet  
Shelby Andrews, Whitsett  
Kelly Archer, Carrboro  
Lillian Badgett, Statesville  
Graham R. Barnes, Manteo  
Will Bass, Nashville  
Lauren Bateman, Raleigh  
Sheuna Battle, Rocky Mount  
Faith Bauer, Durham  
Khidijah Bell, Ahoskie  
Stephen Bender, Aberdeen  
Cecilia Best, Albertson  
Tori Boddie, Cary  
Ben Bollinger, Shallotte  
Ben Bradley, Jr., Wilson  
Scott Braswell, Charlotte  
Kasey Briggs, Raleigh  
Zach Britt, Winston-Salem  
Lauren Broadwell, Wendell  
Luke Brogden, Wilmington  
Kayla Brooks, Raleigh  
Iula Brown, Fayetteville  
Caroline Browning, Raleigh  
Davis Bryson, Raleigh  
Quinn Burkhalter, Charlotte  
Griffin Buskill, Charlotte  
Ryan Byrd, Williamston  
Joe Calder, Cary  
Chandler Caldwell, Gastonia

Allen Canaday, Burlington  
Taylor Carey, Cary  
Cameron Castleberry, Raleigh  
David Chappell, Raleigh  
Morgan Christianson, Fayetteville  
Miller Clark, Tarboro  
Rebecca Connor, Raleigh  
Mitchell Cook, Raleigh  
Mary Alice Cox, Burlington  
Matt Craige, Cary  
Sierra Croft, Cherryville  
Alyssa Crotser, Manteo  
Brennan Cumalander, Cary  
Miranda Curlee, Charlotte  
Deirdre Curran, Chapel Hill  
Joseph Curry IV, Angier  
Kaylen Cutler, Whiteville  
Kenslee Daughtridge, Rocky Mount  
Margot de St. Aubin, Siler City  
Andrew Dinwiddie, Waynesville  
Trafton Dinwiddie, Raleigh  
Bryant Dowd, Raleigh  
Stafford Dunbar IV, Laurinburg  
Carson Easter, Julian  
Jazmin Efferson, Indian Trail  
Chris Eley, Kernersville  
Kalie Eppley, Boone  
Haley Ezzell, Harrells  
Alex Finley, Raleigh  
Erica Frederick, Wendell  
Sam Freeman, Wilkesboro  
Jake Froelich, Greensboro  
Marquenetie Fuller, Manteo  
Phierica Gardin, Gastonia  
Marie Gentry, Greensboro  
Tegan George, Raleigh  
Madison Gibbs, Greensboro  
Moriah Glady, Raleigh  
Grant Goethe, Wake Forest  
Titi Goings, Rocky Mount  
Zach Goldman, Cary  
Lauren Gosse, Raleigh



Ulysses Graham, Clayton  
Sean Grier, High Point  
Sydney Griffin, Forest City  
Alisha Gumber, Cary  
Damon Hall, Jr., Manteo  
Nick Hall, Raleigh  
Ty Hamby, Cary  
Andrew Harris, Gastonia  
Anna Hawksworth, Raleigh  
Rebecca Hawthorne, Raleigh  
Mercedez Haywood, Rocky Mount  
Phillip Hedrick, Jr., Greensboro  
Patrick Hernandez, Emerald Island  
Tayloe Hill III, Winterville  
Charlie Hirsch, Raleigh  
Sara Worth Hodges, Rocky Mount  
Grace Holbrook, Greensboro  
Dixon Holland, Greensboro  
Ellie Holleman, Greensboro  
Katie Honaker, Raleigh  
Benjamin Horne, Nashville  
Jennifer Howard, Clemmons  
Kayla Howard, Charlotte  
Brandon Hughes, Garner  
Jaye Hunt, Charlotte  
Jenna Hutcheson, Durham  
B'Renda Hutchins, Goldsboro  
Will Inabnit III, Burlington  
Jennifer Isaza, Rocky Mount  
Alex James, Raleigh  
Christopher Jefferys, Princeton  
Courtney Jennings, Clayton  
Becca Jordan, Burlington  
Paul Julian, Carrboro  
Sydney Kalin, Cary  
Tayte Kean, Raleigh  
Laurel Keefer, Raleigh  
Thomas Keshian, Winston-Salem  
Ashley Kim, Cary  
Curt Koone, Union Mills  
Chris Krolak, Fletcher  
Jake Lamers, Raleigh  
Elizabeth Lane, Rocky Mount  
Jayne Langmeyer, Greensboro  
Ellen Laws, Wilkesboro  
Miles Leathers, Charlotte

Hannah Lee, Raleigh  
Mary Quinn Lemond, Belmont  
John Lineberger, Winston-Salem  
Tommy Lucioni, California  
Taylor Mahaffey, Belmont  
Neel Mandavilli, Cary  
Jarrett Massenburg, Raleigh  
Summer Mathis, Emerald Isle  
Kaley McCloskey, Elon  
Katie McDonnell, Raleigh  
Will McGuire, Eden  
Amythest McPhail, Goldsboro  
Kendall Medford, Gastonia  
Tyrece Meeks, Gastonia  
Yash Mehta, Raleigh  
Deanna Metivier, Apex  
Davis Mitchell, Cary  
Katya Mordhorst, Almond  
David Ojo, Fayetteville  
Chichi Orji, Morrisville  
Amoz Outlaw, Williamston  
Emma Park, Rocky Mount  
Lydia Parker, Chapel Hill  
Regina Parker, Chapel Hill  
Brandon Patton, Youngsville  
Rachael Payne, Burlington  
Michael Peiffer, Franklinton  
Nalini Peres-Da-Silva, Carrboro  
Wyatt Peterson, Greensboro  
Henry Pollitt, Raleigh  
Jennifer Polvino, Cary  
Samuel Potter, Charlotte  
Eli Prevost, Carthage  
Nick Pro, Raleigh  
John Purcell Cary  
Will Purcell, Raleigh  
Matthew Quesenberry, Raleigh  
Emily Rangel, Greensboro  
Harry Riegel, Cary  
Shelby Rife, Gastonia  
Seth Riggins, Garner  
Olivia Roberson, Rocky Mount  
Brett Roberts, Winston-Salem  
Vivlica Rodgers, Washington  
Mary Willoughby Romm, Currituck  
Kristin Rose, Summerfield

Carson Rosser, Raleigh  
Katherine Sanders, Garner  
Angel Sandusky, Aulander  
Adi Sapasetty, Cary  
Steven Sauer, Summerfield  
Christina Schaefer, Garner  
David Scoggins, Denver  
Sedonia Scott, Goldsboro  
Toni Selby, Manteo  
Katherine Selix, Marvin  
Jake Semon, Greensboro  
Alex Sewell, Marshall  
Andrew Sigarto, Raleigh  
Thomas Sigmon, Raleigh  
Joshua Simmering, Kernersville  
Rycal Simmons-Blount,  
Greensboro  
Katherine Sipes, Greensboro  
Allen Smith, Gastonia  
Jane Smith, Chapel Hill  
Jessi Smith, Cary  
Courtney Speight, Fremont  
James Springs, Jr., Charlotte  
John Stanley, Nashville  
Paradise Stevenson, Greensboro  
Haley Stewart, Gastonia  
Katelyn Stiles, Bessemer City  
Ralph Stockton IV, Raleigh  
Eliza Stoughton, Greenville  
Jenny Summer, Raleigh  
Brianna Tate, Summerfield  
Emoni Tedder, Durham

Lizzie Thomas, Greensboro  
Zachery Thomas, Garner  
David Torres, Raleigh  
Parker Troutman, Raleigh  
Jason Trull, Mount Pleasant  
Izzy Vaughan-Jones, Mocksville  
Alexander Ventriglia, Wilmington  
Haley Wachter, Elizabethtown  
Terrence Walker-White,  
Fayetteville  
Gina Wall, Goldsboro  
Elizabeth Wallace, Raleigh  
Alex Warren, Raleigh  
Bailey Warren, Raleigh  
Taylor Watts, Emerald Isle  
Brittany Wheeling, Mount Holly  
Brittany Whitaker, Durham  
Aja White, Gastonia  
Amesha White, Ahoskie  
Will White, New Bern  
Harrison Wicker, Sanford  
Caroline Williams, Fayetteville  
Darius Williams, Williamston  
Paul Williams, Raleigh  
Perry Williams, Raleigh  
Michael Wohlers, Raleigh  
Edward Woodall, Four Oaks  
Rachel Wordsworth, Rocky Mount  
Robert Wright, Raleigh  
Katie Yelton, Rutherfordton  
Jinee Yoon, Chapel Hill

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## SENATE PRESIDENT PRO TEMPORE APPOINTMENTS

The following appointments and recommendations to Boards and Commissions were made during 2010 by the Honorable Marc Basnight, *President Pro Tempore*.

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>ACUPUNCTURE LICENSING BOARD</b>		
G.S. 90-453		
Mr. David Peters	07/19/2010	06/30/2013
Mr. Andrew A. Prescott	07/19/2010	06/30/2013
<b>AFRICAN-AMERICAN HERITAGE COMMISSION</b>		
G.S. 143B-135; SL2008-107 sec. 19A.2		
Mrs. Annie McCoy	07/19/2010	06/30/2013
<b>AGRICULTURAL FINANCE AUTHORITY</b>		
G.S. 122D-4		
Mr. Jimmy A. Harrell, Jr.	07/19/2010	07/01/2013
<b>ALCOHOLIC BEVERAGE CONTROL, JOINT COMMITTEE</b>		
G.S. 120-19.6(a1); Letter of 02-16-2010-Sen Rule 31; House Rule 26(a)		
Sen. Donald R. Vaughan (Co-Chair)	02/16/2010	05/12/2010
Chief Tim Adams	02/16/2010	05/12/2010
Sen. Charles W. Albertson	02/16/2010	05/12/2010
Sen. Stan W. Bingham	02/16/2010	05/12/2010
Sen. Daniel T. Blue, Jr.	02/16/2010	05/12/2010
Sen. Daniel G. Clodfelter	02/16/2010	05/12/2010
Mr. Edward T. Cook, Jr.	02/16/2010	05/12/2010
Sen. Linda D. Garrou	02/16/2010	05/12/2010
Sen. Steve Goss	02/16/2010	05/12/2010
Sen. Fletcher L. Hartsell, Jr.	02/16/2010	05/12/2010
Mr. Howard Hunter III	02/16/2010	05/12/2010
Mr. Eddie Maynor	02/16/2010	05/12/2010
Mr. William Paul Powell, Jr.	02/16/2010	05/12/2010
Mr. Fields Scarborough	02/16/2010	05/12/2010
<b>ARBORETUM BOARD OF DIRECTORS</b>		
G.S. 116-243; SL 85-1014		
Dr. Paul V. Phibbs	07/19/2010	06/30/2014
<b>AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY, JOINT COMMITTEE (2009)</b>		
SL2009-451 sec. 10.21D(a)		
Ms. Emily Tucker	01/12/2010	12/31/2010
<b>BIOFUELS CENTER OF NORTH CAROLINA BOARD OF DIRECTORS</b>		
Article 4, sec. 4.4(J)		
The Hon. Brian Roth	09/13/2010	09/30/2012
<b>BOXING ADVISORY COMMISSION</b>		
G.S. 143-652.2; SL2007-528 sec. 1; SB 692		
Mr. Bias Melton Edge, Jr.	10/06/2010	06/30/2012

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>CANCER COORDINATION AND CONTROL ADVISORY COMMITTEE</b>		
G.S. 130A-33.50; SL93-321		
Sen. Robert C. Atwater	03/22/2010	06/30/2011
Sen. Harris D. Blake	03/22/2010	06/30/2013
Sen. Katie G. Dorsett	03/22/2010	06/30/2013
Mrs. Suzan Maddox	03/22/2010	06/30/2013
Ms. Mary T. Swartz	03/22/2010	06/30/2011
<b>CAPITAL IMPROVEMENTS, JOINT LEGISLATIVE OVERSIGHT COMMITTEE</b>		
G.S. 120-258; SL2002-126 sec. 29.3		
Sen. A.B. Swindell IV	01/08/2010	01/31/2011
<b>CHILD CARE COMMISSION</b>		
G.S. 143B-168.4; SL91-273		
Ms. Margaret Anne Biddle	07/20/2010	06/30/2012
Ms. Linda Knight	07/20/2010	06/30/2012
<b>CHILD FATALITY TASK FORCE</b>		
G.S. 7B-1402; SL98-202		
Sen. Austin M. Allran	03/02/2010	01/31/2011
Sen. Robert C. Atwater	03/02/2010	01/31/2011
Sen. Stan W. Bingham	03/02/2010	01/31/2011
Sen. Julia C. Boseman	03/02/2010	01/31/2011
The Hon. Frank E. Emory, Sr.	03/02/2010	01/31/2011
Ms. Elizabeth Froehling	03/02/2010	01/31/2011
Mr. Brett Loftis	03/02/2010	01/31/2011
Mrs. Cindy Morgan	05/05/2010	01/31/2011
The Hon. Frank R. Parrish	03/02/2010	01/31/2011
Sen. William R. Purcell	03/02/2010	01/31/2011
The Hon. Michael Welch	03/02/2010	01/31/2011
<b>CHILDHOOD OBESITY LEGISLATIVE TASK FORCE (2009)</b>		
SL2009-574 sec. 49.1		
Sen. Robert C. Atwater (Advisory Member)	03/05/2010	01/31/2011
Sen. Michael P. Walters	01/25/2010	01/31/2011
<b>CHILDREN AND YOUTH LEGISLATIVE COMMISSION</b>		
G.S. 120-215		
Sen. Eleanor G. Kinnaird	02/11/2010	01/31/2011
<b>CHIROPRACTIC EXAMINERS BOARD</b>		
G.S. 90-139; SL83-717		
Dr. Ronald W. Wahler	07/20/2010	06/30/2013
<b>CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES</b>		
G.S. 113A-255		
Mr. John Garrou	07/20/2010	07/01/2014
Mr. Jerry Wright	07/20/2010	07/01/2014

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>COMPARATIVE EFFECTIVENESS STUDY COMMITTEE (2009)</b>		
G.S. 120-19.6(a1); Letter of 02-16-2010-Sen Rule 31; House Rule 26(a)		
Sen. Josh Stein (Co-Chair)	02/16/2010	02/01/2011
Sen. Robert C. Atwater	02/16/2010	02/01/2011
Sen. Stan W. Bingham	02/16/2010	02/01/2011
Sen. Donald G. Davis	02/16/2010	02/01/2011
Sen. Linda D. Garrou	02/16/2010	02/01/2011
Sen. William R. Purcell	02/16/2010	02/01/2011
<b>COMPARATIVE EFFECTIVENESS STUDY COMMITTEE ADVISORY BOARD (2009)</b>		
G.S. 120-19.6(a1); Letter of 02-16-2010-Sen Rule 31; House Rule 26(a)		
Dr. Donald W. Bradley	04/07/2010	02/01/2011
Dr. Giselle Corbie-Smith	03/05/2010	02/01/2011
Dr. Curt Furberg	03/05/2010	02/01/2011
Dr. Richard Hansen	03/05/2010	02/01/2011
Dr. Kathleen Lohr	03/05/2010	02/01/2011
Dr. Warren Newton	03/05/2010	02/01/2011
<b>COMPREHENSIVE ARTS EDUCATION DEVELOPMENT TASK FORCE (2009)</b>		
SL2010-34 sec. 1		
Sen. A.B. Swindell IV	08/05/2010	12/01/2010
<b>CONSUMER AND FAMILY ADVISORY COMMITTEE</b>		
G.S. 122C-171; SL2006-142 sec. 5		
Ms. Nancy Carey	06/30/2010	06/30/2013
Ms. Virginia Hill	04/13/2010	06/30/2012
<b>COSMETIC ART EXAMINERS BOARD</b>		
G.S. 88B-3		
Mr. Joseph Lovallo	07/20/2010	06/30/2013
<b>COUNCIL ON THE HOLOCAUST</b>		
G.S. 143A-48.1		
Ms. Angela Perry	09/03/2010	06/30/2011
Mr. Richard A. Schwartz	06/09/2010	06/30/2011
<b>COURTS COMMISSION</b>		
G.S. 7A-506(e)		
Sen. Julia C. Boseman	02/03/2010	06/30/2011
Sen. Daniel G. Clodfelter	02/03/2010	06/30/2011
Mrs. Susan Dotson-Smith	02/03/2010	06/30/2013
The Hon. William Freeman	02/03/2010	06/30/2011
Mr. J. Carl Hayes	02/03/2010	06/30/2013
Sen. Floyd B. McKissick, Jr.	02/03/2010	06/30/2011
<b>DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR</b>		
G.S. 84-28.1(a); SL83-390		
Mr. Joe Castro	07/20/2010	06/30/2013

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>DOMESTIC VIOLENCE COMMISSION</b>		
G.S. 143B-394.15; SL1999-237 sec. 24.2b		
The Hon. Valerie Asbell	07/21/2010	08/31/2012
Mr. David Badger	07/21/2010	08/31/2012
Sen. Doug Berger	07/21/2010	08/31/2012
The Hon. J. Thomas Davis	07/21/2010	08/31/2012
Sgt. John Guard	07/21/2010	08/31/2012
<b>DROPOUT PREVENTION COMMITTEE</b>		
SL2007-323 sec. 7.32(c)		
Dr. Zoe W. Locklear (Co-Chair) (Reappointed Eff. 1/1/2011)	07/21/2010	12/31/2014
Ms. Lisa Daye (Reappointed Eff. 1/1/2011)	07/21/2010	12/31/2014
Ms. Margaret A. Ellis (Reappointed Eff. 1/1/2011)	07/21/2010	12/31/2014
Mr. Johnny Mack Gibbs (Reappointed Eff. 1/1/2011)	07/21/2010	12/31/2014
Mr. Richard Hooker, Jr. (Reappointed Eff. 1/1/2011)	07/21/2010	12/31/2014
<b>E-NC AUTHORITY COMMISSION</b>		
G.S. 143B-437.46; SL2003-425 sec. 1		
Mr. Kevin McCarter	07/21/2010	12/31/2011
Mr. Paul N. Tine	07/21/2010	12/31/2012
<b>ECONOMIC DEVELOPMENT OVERSIGHT, JOINT LEGISLATIVE COMMITTEE</b>		
G.S. 120-70.132(1); SL2005-241 sec. 7		
Sen. David W. Hoyle (Co-Chair)	03/03/2010	01/31/2011
Sen. Harry Brown	03/03/2010	01/31/2011
Sen. Anthony E. Foriest	03/03/2010	01/31/2011
Sen. Linda D. Garrou	03/03/2010	01/31/2011
Sen. S. Clark Jenkins	03/03/2010	01/31/2011
Sen. John J. Snow, Jr.	03/03/2010	01/31/2011
<b>ECONOMIC INVESTMENT COMMITTEE</b>		
G.S. 143B-437.54; SL2002-172 sec. 2.1(a)		
Mr. W. Harrell Everett	07/21/2010	06/30/2011
<b>EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL</b>		
G.S. 143-510(3); SL91-739		
Mr. Stephen M. Taylor	07/21/2010	12/31/2013

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY, JOINT SELECT COMMITTEE (2009)</b>		
G.S. 120-19.6(a1); Letter of 02-09-2010-Sen Rule 31; House Rule 26(a)		
Sen. Martin L. Nesbitt, Jr. (Co-Chair)	02/09/2010	01/31/2011
Sen. Thomas M. Apodaca	02/09/2010	01/31/2011
Sen. Robert C. Atwater	02/09/2010	01/31/2011
Sen. Daniel T. Blue, Jr.	02/09/2010	01/31/2011
Sen. Julia C. Boseman	02/09/2010	01/31/2011
Sen. Harry Brown	02/09/2010	01/31/2011
Sen. Donald G. Davis	02/09/2010	01/31/2011
Sen. Margaret Highsmith Dickson	02/09/2010	01/31/2011
Sen. Katie G. Dorsett	02/09/2010	01/31/2011
Sen. Steve Goss	02/09/2010	01/31/2011
Sen. Fletcher L. Hartsell, Jr.	02/09/2010	01/31/2011
Sen. S. Clark Jenkins	02/09/2010	01/31/2011
Sen. Edward W. Jones	02/09/2010	01/31/2011
Sen. Jean R. Preston	02/09/2010	01/31/2011
Sen. John J. Snow, Jr.	02/09/2010	01/31/2011
<b>ENERGY POLICY COUNCIL</b>		
G.S. 113B-2; SL77-23		
Sen. Stan W. Bingham	02/24/2010	01/31/2011
<b>EX-OFFENDER REINTEGRATION INTO SOCIETY, JOINT SELECT COMMITTEE (2009)</b>		
G.S. 120-19.6(a1); Letter of 01-22-2010-Sen Rule 31; House Rule 26(a)		
Sen. Charlie S. Dannelly (Co-Chair)	01/22/2010	02/01/2011
Mr. Dennis Gaddy	01/22/2010	02/01/2011
Sen. Linda D. Garrou	01/22/2010	02/01/2011
Sen. Fletcher L. Hartsell, Jr.	01/22/2010	02/01/2011
Sen. Edward W. Jones	01/22/2010	02/01/2011
Sen. John J. Snow, Jr.	01/22/2010	02/01/2011
Ms. Flo Stein	01/22/2010	02/01/2011
Sen. A.B. Swindell IV	01/22/2010	02/01/2011
<b>FEE-BASED PRACTICING PASTORAL COUNSELORS BOARD OF EXAMINERS</b>		
G.S. 90-385		
Rev. John Arey (Reappointed Eff. 10/1/2010)	07/21/2010	09/30/2014
<b>FIRE AND RESCUE COMMISSION</b>		
G.S. 58-78-1; SL93-155		
Brig. Gen. Ralph R. Griffin	04/14/2010	06/30/2010
Brig. Gen. Ralph R. Griffin (Reappointed)	07/27/2010	06/30/2013
<b>GEOGRAPHIC INFORMATION COORDINATING COUNCIL</b>		
G.S. 143-725; SL2001-359		
Mr. John M. Gillis, Jr.	07/29/2010	05/31/2011
Ms. Kelly Loughton	07/29/2010	05/31/2011
Mr. Richard N. Taylor	07/29/2010	05/31/2011

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>GLOBAL ENGAGEMENT, JOINT SELECT COMMITTEE (2009)</b>		
G.S. 120-19.6(a1); Letter of 11-17-2009-Sen Rule 31; House Rule 26(a)		
Sen. Floyd B. McKissick, Jr.	03/10/2010	02/01/2011
<b>GLOBAL TRANSPARK AUTHORITY, BOARD OF DIRECTORS</b>		
G.S. 63A-3		
Mr. Andy Penry	07/22/2010	06/30/2011
<b>GOLDEN L.E.A.F. (LONG-TERM ECONOMIC ADVANCEMENT FOUNDATION) CORPORATION, INC.</b>		
SL1999-2; Consent Decree-98CVS14377		
Mr. William Clarke	01/19/2010	11/30/2013
Rev. Lacy R. Joyner	01/19/2010	11/30/2013
<b>GOVERNOR'S ADVISORY COUNCIL ON AGING</b>		
G.S. 143B-180		
Ms. Betty Britt Rising	08/06/2010	06/30/2014
<b>HEALTH CARE, JOINT LEGISLATIVE OVERSIGHT COMMITTEE</b>		
G.S. 120-70.110		
Sen. William R. Purcell (Co-Chair)	01/13/2010	01/31/2011
<b>HOME INSPECTOR LICENSURE BOARD</b>		
G.S. 143-151.46; SL93-724		
Mr. William Talmadge Jones	07/22/2010	07/01/2014
<b>HUMAN RELATIONS COMMISSION</b>		
G.S. 143B-392		
Mr. Melvin T. Davis	08/27/2010	06/30/2012
Mr. James F. Jones	08/18/2010	06/30/2012
<b>IRRIGATION CONTRACTORS' LICENSING BOARD</b>		
G.S. 89G-4; SL2008-177 sec. 1		
Mr. Lindsey R. Griffin	07/22/2010	09/30/2013
(Reappointed Eff. 10/1/2010)		
<b>JOINING OUR BUSINESSES AND SCHOOLS (JOBS), JOINT LEGISLATIVE COMMISSION (2009)</b>		
SL2009-339		
Ms. Valeria L. Lee	08/17/2010	12/31/2010
<b>LICENSING OF SOIL SCIENTISTS BOARD</b>		
G.S. 89F-4; SL95-414		
Mr. Kevin D. Davidson	07/26/2010	06/30/2011
<b>LOTTERY OVERSIGHT COMMITTEE</b>		
G.S. 18C-172; SL2006-225		
Mr. James W. Hall (Co-Chair)	01/15/2010	12/31/2012
Mrs. Margaret Mackie	07/07/2010	12/31/2012
<b>MANUFACTURED HOUSING BOARD</b>		
G.S. 143-143.10; SL87-827		
Mr. David L. Cranfield	07/22/2010	06/30/2013
Mr. Cliff DeSpain	07/22/2010	06/30/2013



<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES COMMISSION</b>		
G.S. 143B-147; SL93-396		
Dr. Richard Brunstetter	07/22/2010	06/30/2013
Ms. Pamela D. Poteat	07/22/2010	06/30/2013
<b>MILITARY AFFAIRS ADVISORY COMMISSION</b>		
G.S. 127C-1; SL2001-424 sec. 12.1		
Sen. Donald G. Davis	01/12/2010	12/31/2011
Mr. Alfonzo King	01/12/2010	12/31/2011
Mr. William H. Stanley	01/12/2010	12/31/2011
<b>MINORITY HEALTH ADVISORY COUNCIL</b>		
G.S. 130A-33.43; SL91-900		
Sen. Charlie S. Dannelly	09/23/2010	06/30/2012
Sen. William R. Purcell	09/23/2010	06/30/2012
<b>NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES</b>		
G.S. 113-77.8; SL95-490		
Ms. Lois Winstead	07/22/2010	12/31/2015
<b>ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD</b>		
G.S. 90A-73; SL2006-82		
Mr. William Russell Davis	07/22/2010	07/01/2012
Mr. Glenn Hines	07/22/2010	07/01/2013
<b>PARKS AND RECREATION AUTHORITY</b>		
G.S. 143B-313.1; SL95-456		
The Hon. Loretta Clawson	07/22/2010	07/01/2013
<b>PARTNERSHIP FOR CHILDREN, INC., BOARD OF DIRECTORS</b>		
G.S. 143B-168.12		
Mr. C. Lorange Henderson (Reappointed Eff. 1/1/2011)	07/22/2010	12/31/2013
Ms. Marie D. Inscore (Reappointed Eff. 1/1/2011)	07/22/2010	12/31/2013
Mrs. Tannis F. Nelson (Reappointed Eff. 1/1/2011)	07/22/2010	12/31/2013
<b>PRESCRIPTION DRUG ABUSE LEGISLATIVE TASK FORCE (2009)</b>		
SL2010-152 sec. 33.1		
Sen. John J. Snow, Jr. (Co-Chair)	10/25/2010	01/31/2011
Sen. Austin Allran	10/25/2010	01/31/2011
Mrs. Bettie Blanchard	10/25/2010	01/31/2011
Ms. Jennifer Burch	10/25/2010	01/31/2011
Ms. Jean R. Hetherington	10/25/2010	01/31/2011
Sen. Edward W. Jones	10/25/2010	01/31/2011
Sheriff Keith Lovin	10/25/2010	01/31/2011
Sen. William R. Purcell	10/25/2010	01/31/2011

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>PRESERVATION OF BIOLOGICAL EVIDENCE, JOINT SELECT COMMITTEE</b>		
G.S. 120-19.6; Letter of 10-7-2010-Sen Rule 31; House Rule 26(a)		
Sen. Edward W. Jones (Co-Chair)	10/14/2010	01/31/2011
The Hon. Roy A. Cooper III (Ex Officio)	10/14/2010	01/31/2011
Mrs. Beverly Hafer	10/14/2010	01/31/2011
Sen. Fletcher L. Hartsell, Jr.	10/14/2010	01/31/2011
The Hon. Dewey Hudson	10/14/2010	01/31/2011
Sen. Eleanor G. Kinnaird	10/14/2010	01/31/2011
Chief Tim W. Ledford	10/14/2010	01/31/2011
Mr. Greg McLeod (Ex Officio)	10/14/2010	01/31/2011
Sen. Floyd B. McKissick, Jr.	10/14/2010	01/31/2011
The Hon. John W. Smith (Ex Officio)	10/14/2010	01/31/2011
Sen. John J. Snow, Jr.	10/14/2010	01/31/2011
Mr. Dick Taylor	10/14/2010	01/31/2011

**PRIVATE PROTECTIVE SERVICES BOARD**

G.S. 74C-4; SL94-ES24		
Mr. R. Steven Johnson	07/26/2010	06/30/2012

**PROFESSIONAL TEACHING STANDARDS COMMISSION**

G.S. 115C-295.1; SL93-740		
Ms. Sheree Covey	01/26/2010	08/31/2013
Ms. Amy Felicia Eybl	09/30/2010	08/31/2012

**PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION (POELI)**

G.S. 58-32-1; SL91-720		
Mr. Walter Fletcher Pierce	07/26/2010	06/30/2011

**PUBLIC-PRIVATE PARTNERSHIPS COMMISSION (2009)**

SL2010-152 sec. 32.1		
Sen. S. Clark Jenkins (Co-Chair)	10/05/2010	01/30/2011
Ms. Angela Carmon	10/05/2010	01/30/2011
Sen. Margaret Highsmith Dickson	10/05/2010	01/30/2011
Sen. Martin L. Nesbitt, Jr.	10/05/2010	01/30/2011
Sen. Robert A. Rucho	10/05/2010	01/30/2011
Ms. Gloria Shealey	10/06/2010	01/31/2011
Sen. Richard Y. Stevens	10/05/2010	01/30/2011
Mr. Richard E. Vick	10/05/2010	01/30/2011

**RAILROADS STUDY COMMISSION (2009)**

SL2010-152 sec. 36.1		
Sen. Margaret Highsmith Dickson (Co-Chair)	08/16/2010	01/31/2011
Sen. Steve Goss	08/16/2010	01/31/2011
Sen. Malcolm Graham	08/16/2010	01/31/2011
Sen. S. Clark Jenkins	08/16/2010	01/31/2011
Sen. Martin L. Nesbitt, Jr.	08/16/2010	01/31/2011

**RECREATIONAL THERAPY LICENSURE BOARD**

G.S. 90C-23; SL85-966		
Mr. J. Michael Atkins	07/28/2010	06/30/2013

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>RESPIRATORY CARE BOARD</b>		
G.S. 90-649; SL2000-162 sec. 1 Dr. William Kiger	07/26/2010	06/30/2013
<b>ROANOKE ISLAND COMMISSION</b>		
G.S. 143B-131.1; SL93-769 Mr. Elmer R. Midgett, Jr.	07/30/2010	06/30/2012
Mrs. Joanne Edwards Williams	07/30/2010	06/30/2012
<b>ROANOKE RIVER BASIN ADVISORY COMMITTEE</b>		
G.S. 77-103; SL2002-177 sec. 1 Sen. A.B. Swindell IV (Co-Chair)	08/18/2010	12/31/2010
Sen. Doug Berger	08/18/2010	12/31/2010
<b>STATE BUILDING COMMISSION</b>		
G.S. 143-135.25; SL93-561 Mr. John Muter	07/27/2010	06/30/2013
<b>STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES BLUE RIBBON TASK FORCE</b>		
SL2009-16 sec. 7.(a) Sen. Daniel T. Blue, Jr. (Co-Chair)	01/19/2010	12/31/2010
<b>STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES BOARD OF TRUSTEES</b>		
G.S. 135-44; SL87-857 Ms. Bonnita Hargis	07/28/2010	06/30/2012
Ms. Linda Jones	07/28/2010	06/30/2012
<b>STATE PERSONNEL COMMISSION</b>		
G.S. 126-2; SL89-540 Mr. Thomas M. Stern	07/27/2010	06/30/2016
<b>STATE PORTS AUTHORITY</b>		
G.S. 143B-452 Mrs. Laura Wilson	07/27/2010	06/30/2012
<b>STATE WATER INFRASTRUCTURE COMMISSION</b>		
G.S. 159G-65; SL2005-454 sec. 3 The Hon. William E. Holman	08/18/2010	01/12/2012
<b>STRUCTURAL PEST CONTROL COMMITTEE</b>		
G.S. 106-65.23; SL87-827 Mr. William A. Tesh	07/27/2010	06/30/2014
<b>SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD</b>		
G.S. 90-113.32 Mr. David R. Turpin	07/27/2010	06/30/2014
<b>SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES</b>		
G.S. 135-96; SL2008-132 sec. 2 Mr. Dexter V. Perry	07/28/2010	06/30/2012

<b>President Pro Tempore Appointments</b>	<b>Appointed</b>	<b>Expires</b>
<b>SUSTAINABLE COMMUNITIES TASK FORCE</b>		
SL2010-31 sec. 13.5.(a)		
Mrs. Patsy McArthur	10/06/2010	07/01/2014
Mr. Joe C. McKinney	10/06/2010	07/01/2014
Mr. Paul Norby	10/06/2010	07/01/2014
<b>TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM</b>		
<b>BOARD OF TRUSTEES</b>		
G.S. 135-6; SL94-24		
Mr. Jeff Israel	07/29/2010	06/30/2011
<b>TOBACCO TRUST FUND COMMISSION</b>		
G.S. 143-717; SL2000-147 sec. 3		
Mr. Kenneth Reeves	09/08/2010	06/30/2014
<b>TURNPIKE AUTHORITY BOARD</b>		
G.S. 136-89.182; SL2002-133 sec. 1		
Mr. Robert Clay	01/15/2010	01/14/2011
Mr. Robert Clay	07/29/2010	01/14/2015
(Reappointed Eff. 1/14/2011)		
<b>UWHARRIE REGIONAL RESOURCES COMMISSION</b>		
G.S. 153C-3; SL2010-176 sec. 1		
Mr. Tony M. Dennis	10/04/2010	08/31/2014
<b>YOUTH ACCOUNTABILITY PLANNING TASK FORCE (2009)</b>		
SL2009-451 sec. 18.9.(a)		
Sen. Stan W. Bingham (Co Chair)	08/27/2010	01/15/2011
<b>ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY</b>		
<b>COMMITTEE</b>		
G.S. 120-19.6(a)(1)		
Sen. Peter Brunstetter (Co-Chair)	09/09/10	12/31/10
Sen. A.B. Swindell	09/09/10	12/31/10
Sen. Ed Jones	09/09/10	12/31/10
Sen. Jerry Tillman	09/09/10	12/31/10
Sen. Katie Dorsett	09/09/10	12/31/10
Mr. Russ Williams	09/09/10	12/31/10
Mr. Cooper Brantley	09/09/10	12/31/10
Mr. Walker B. Moffitt	09/09/10	12/31/10

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**SENATE MAJORITY LEADER APPOINTMENTS**

The following appointments and recommendations to Boards and Commissions were made during 2010 by the Honorable Martin L. Nesbitt, Jr., Senate Majority Leader.

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<b>PARTNERSHIP FOR CHILDREN BOARD OF DIRECTORS</b>		
G.S. 143B-168.12(a)(i)(j)		
Mr. Charles Carter	11/03/2010	01/01/2011

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- S 1022 School Calendar Flexibility/Inclement Weather  
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Durham (part), Lee.

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**AVERY COUNTY**—District 47—Senator Joe Sam Queen

H 664 Avery: Deed Recordation and Delinquent Taxes  
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Beaufort, Camden, Currituck,  
**Dare**, Hyde, Pasquotank,  
 Tyrrell, Washington.

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Co-Sponsor ..... None.

**BEAUFORT COUNTY**—District 1—Senator Marc Basnight

**BERGER, SENATOR DOUG** ..... **7th District—Franklin,**  
Granville, Vance, Warren.

Committee Assignments—

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Primary Sponsor ..... None.

Co-Sponsor ..... 1161, 1178, 1211, 1227, 1228, 1229, 1230, 1232,  
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**Rockingham.**

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**BERTIE COUNTY**—District 4—Senator Edward W. Jones.

**BINGHAM, SENATOR STAN** ..... **33rd District—Davidson,**  
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 Co-Sponsor ..... 1124, 1176, 1177, 1183, 1185, 1186, 1187, 1188,  
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**BURKE COUNTY**—District 44—Senator Jim Jacumin

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

- S 1146 Cabarrus Fire District Boundary Validation  
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- S 1357 Expand Cabarrus County Tourism Authority  
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- S 1443 Kannapolis Subdivision Ordinances  
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- S 1444 Kannapolis/Concord Doughnut Hole Annexations  
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**CHATHAM COUNTY**—District 18—Senator Bob Atwater

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**CHEROKEE COUNTY**—District 50—Senator John J. Snow, Jr.

- S 1264 Cherokee School Board Terms  
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S 1165 General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
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- S 1180 Implement Gender Neutral Terms  
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- S 1185 Modernize Sales Tax on Accommodations  
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- H 593 Modify Good Cause Waivers  
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H 789 Enhance Protection of Victims & Witnesses (H Judiciary I Com).....	321, 339.
S 1165 General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
S 1214 Highway Patrol Motor Carrier Fine/Local Fees (S.L. 2010-129.) .....	46, 157, 274, 275, 299, 488, 506.

<b>CLARY, SENATOR DEBBIE A.</b> .....	<b>46th District—Cleveland, Rutherford.</b>
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Primary Sponsor .....	1134, 1238, 1420, 1421, 1422, 1423.
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**CLAY COUNTY—District 50—Senator John J. Snow, Jr.**

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**CLEVELAND COUNTY**—District 46—Senator Debbie A. Clary

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S 1275 Improve Success of Fishery Management Plans  
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H 1713 Improve Success of Fishery Management Plans  
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S 1223 North Carolina Climate Change Adaptation Strategy  
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S 836 Oil Spill Liability, Response, and Preparedness  
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S 1384 Remove Damage Cap/Review Offshore Oil Spills  
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S 1269 Suspension and Revocation of Fishing Licenses  
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**COLUMBUS COUNTY**—District 8—Senator R.C. Soles, Jr.

**COMMERCE AND BUSINESS [G.S. 66]**

H 1691 Use of 911 Funds  
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S 1166	Community College Investment Flexibility (Finance Com).....	33, 41.
S 1322	Community Colleges/Realign Fund Formula/Federal Loans (Education/Higher Education Com) (Inc. S.L. 2010-31.) .....	69.
S 1258	Disapprove Community College Rule/Illegal Aliens (Education/Higher Education Com) .....	57.
S 716	Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com).....	368, 376.
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- S 1215 Economic Incentives Alignment and Changes  
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- S 1373 Extend Article 3J Sunset  
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- S 1372 Extend Biodiesel Producers Credit Sunset  
(Finance Com).....87.
- S 1371 Extend Renewable Fuel Facility Credit Sunset  
(Finance Com).....87.
- S 1424 Institute Tax Credit for Clean Energy Manufacturing  
(Finance Com).....95.
- S 1428 Invest in Green Jobs Act  
(Appropriations/Base Budget Com)  
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**ECONOMIC DEVELOPMENT (continued)**

S 1171 Keeping North Carolina Competitive Act (S.L. 2010-91.) .....	34, 98, 102, 118, 447, 478, 552, 625.
S 308 Low-Profit Limited Liability Company (S.L. 2010-187.) .....	506.
S 1234 Poverty Reduction: Tax Incidence Reports (Finance Com).....	50.
S 1297 Regional Economic Recovery Housing Alliances (Commerce Com) .....	65.
S 1077 Remove E-NC Sunset (Rules and Operations of the Senate Com).....	290.
H 1973 Various Economic Incentives (S.L. 2010-147.) .....	212, 325, 339, 359, 361, 379, 420, 439, 447, 477, 487, 502, 605, 627.

**EDGECOMBE COUNTY—District 3—Senator S. Clark Jenkins**

S 1135 Red Oak/City of Rocky Mount Deannexation (S.L. 2010-26.) .....	27, 85, 101, 117, 232, 244, 268, 291, 311.
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H 614 Absentee Voting Changes (S.L. 2010-192.) .....	278, 279, 300, 402.
H 748 Citizens United Response (S.L. 2010-170.) .....	395, 408, 438, 477, 487, 522, 628.
H 1136 Designation of Uses of Campaign Funds (S.L. 2010-100.) .....	361, 362, 468.
S 716 Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com).....	368, 376.
S 1165 General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
H 1740 General Statutes Commission Technical Corrections (Judiciary II Com) .....	431.
H 961 Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.
S 1180 Implement Gender Neutral Terms (Judiciary II Com) .....	36.

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H 80	Ban Electronic Sweepstakes (S.L. 2010-103.) .....	191, 199, 401.
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S 1410	Access to High School Sports Funds (Education/Higher Education Com) .....	93.
S 1201	Additional Flexibility/Cooperative Innovative High Schools (S.L. 2010-182.) .....	40, 185, 194, 309.
S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 1138	Ban Corporal Punishment for Children With Disabilities (Education/Higher Education Com) .....	27.
H 1728	Carteret Schools May Administer Oath (State & Local Government Com).....	307.
H 1682	Corporal Punishment and Children with Disabilities (S.L. 2010-159.) .....	170, 209, 292, 318, 331.
S 1248	Early Identification and Intervention for At-Risk Students (S.L. 2010-162.) .....	55, 126, 137, 143, 360, 380, 506.
H 1140	Educational Assistance for Minimum Wage Workers (Appropriations/Base Budget Com) .....	126.
S 716	Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com).....	368, 376.
H 1757	Fitness Testing in Schools (S.L. 2010-161.) .....	307, 375, 393, 401.
S 1246	Four-Year Cohort Graduation Rate (S.L. 2010-111.) .....	54, 125, 137, 329, 345, 371.
S 1165	General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
H 1740	General Statutes Commission Technical Corrections (Judiciary II Com) .....	431.
H 961	Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.

**ELEMENTARY AND SECONDARY EDUCATION [G.S. 115C]**

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H 901	Honors Courses in Healthful Living Classes (S.L. 2010-35.) .....	221, 245, 250, 333.
S 1227	Lift Charter Cap/Lunch Requirements (Education/Higher Education Com) .....	49.
S 1426	Lower Corporate Income Tax Rate (Finance Com) .....	95.
H 593	Modify Good Cause Waivers (S.L. 2010-114.) .....	375, 392, 393, 410, 413, 425, 507.
H 1841	Moore County School Board Police (S.L. 2010-64.) .....	307, 388, 391, 401, 473.
S 1253	No High School Graduation Project Required (Education/Higher Education Com) .....	56.
H 1864	No High School Graduation Project Required (S.L. 2010-33.) .....	141, 184, 195, 196, 333.
S 1228	Parenthood/Financial Education (Education/Higher Education Com) .....	49.
S 1296	Physical Education and Activity in Schools (Education/Higher Education Com) .....	64.
S 1155	Reduce Corporate Income Tax (Finance Com) .....	30.
S 704	Reform Low-Performing Schools (S.L. 2010-1.) .....	99, 108, 109, 111, 113.
H 1176	Reorganize Schools with High Dropout Rate (Appropriations/Base Budget Com) .....	126.
H 1669	Require Use Education Value Added Assessment System in Schools (S.L. 2010-110.) .....	155, 184, 192, 213, 309.
S 1139	Require Use EVAAS in Schools (Education/Higher Education Com) .....	27.
H 1377	Safe Schools Act (S.L. 2010-163.) .....	337, 380, 388, 468.
H 357	School Absence for Religious Holidays (S.L. 2010-112.) .....	292, 317, 343, 468.
H 636	School Calendar Flexibility/Inclement Weather (S.L. 2010-10.) .....	127, 138, 169, 234.
S 1022	School Calendar Flexibility/Inclement Weather (Rules and Operations of the Senate Com) .....	116.
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S 1370 School Calendar Flexibility/Inclement Weather (Education/Higher Education Com) .....	87.
S 1142 School Support Division Changes (Education/Higher Education Com) (Inc. S.L. 2010-31.) .....	28.
S 1450 State Retirement Age and Service Change (Pensions & Retirement and Aging Com) .....	107.
H 1292 University Energy Savings/LEA Operational Leases (S.L. 2010-196.) .....	10, 293, 317, 471.
S 1289 Update Statewide Nutrition Standards (Health Care Com) .....	63.
H 213 Voluntary Shared Leave Nonfamily Sick Leave Donations (S.L. 2010-139.) .....	200, 293, 317, 402.

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H 1659 Eminent Domain (Rules and Operations of the Senate Com).....	291.
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**EMPLOYMENT SECURITY [G.S. 96]**

S 1143 Substitute Teacher Unemployment (Education/Higher Education Com) .....	28.
H 1676 Substitute Teacher Unemployment (S.L. 2010-71.) .....	164, 221, 246, 251, 474.

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S 1167 Amend Environmental Laws 2010 (Agriculture/Environment/Natural Resources Com) .....	33.
H 1766 Amend Environmental Laws 2010 (S.L. 2010-180.) .....	396, 405, 427, 429, 432, 476, 485, 502, 504, 625.
S 1220 Carbon Offsets and Carbon Sequestration Study (Rules and Operations of the Senate Com).....	48.
H 1099 Clarify Effective Date for State Environmental Policy Act Exemption (S.L. 2010-188.) .....	414, 422, 510, 511, 523, 526, 534, 625.
S 886 Cleanfields Act of 2010 (S.L. 2010-195.) .....	480, 487, 506.
H 1748 Conserve and Protect Agricultural Water Resources (S.L. 2010-149.) .....	211, 263, 303, 309.
S 1294 Conserve and Protect Agriculture Water Resources (H Water Resources and Infrastructure Com) .....	64, 122, 128.

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H 972	Create Uwharrie Regional Resources Commission (S.L. 2010-176.) .....	409, 412, 481, 482, 500, 501, 510, 537.
S 1259	Delay Boylston Creek Reclassification/Public Meetings (S.L. 2010-157.) .....	57, 177, 186, 415, 425, 470.
S 887	Electronics Recycling Law Amended (S.L. 2010-67.) .....	265, 304, 308, 473.
S 1317	Electronics Recycling Requirements Amended (Agriculture/Environment/Natural Resources Com) .....	68.
S 1225	Energy Policy Council Green Energy Study (Rules and Operations of the Senate Com).....	49.
H 1802	Environment and Natural Resources Reports Consolidated/Technical Corrections 2010 (S.L. 2010-142.) .....	256, 323, 324, 343, 359, 469.
S 1162	Environmental Technical Corrections 2010 (Agriculture/Environment/Natural Resources Com) .....	32.
H 1801	Environmental Technical Corrections 2010 (Rules and Operations of the Senate Com).....	255.
S 1221	Establish North Carolina Commission on Climate Change (Agriculture/Environment/Natural Resources Com) .....	48.
H 1743	Improve River Basin Modeling (S.L. 2010-143.) .....	172, 276, 301, 319, 418.
S 1223	North Carolina Climate Change Adaptation Strategy (Agriculture/Environment/Natural Resources Com) .....	48.
S 836	Oil Spill Liability, Response, and Preparedness (S.L. 2010-179.) .....	253, 266, 416, 424, 426, 470.
S 1419	Regulate Certain Coal-Ash Structural Fill (Rules and Operations of the Senate Com).....	94.
S 1384	Remove Damage Cap/Review Offshore Oil Spills (Appropriations/Base Budget Com) .....	89.
S 1224	Study - North Carolina Programs That Impact Environment (Rules and Operations of the Senate Com).....	48.
S 1279	Survey Agricultural Water Infrastructure Needs (Agriculture/Environment/Natural Resources Com) .....	60.
S 1293	Water Funding Priorities (Agriculture/Environment/Natural Resources Com) .....	64.
S 1278	Water Infrastructure Database/Task Force (Agriculture/Environment/Natural Resources Com) .....	60.
S 1291	Water Infrastructure Needs/Close Info Gaps (H Water Resources and Infrastructure Com) .....	63, 121, 127.

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- H 1765 Water Quality/Interbasin Transfer Laws Amended  
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389, 441, 491, 494,  
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- S 1292 Water Supply System Capacity Planning  
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- S 1242 Clarifying Changes to General Statutes  
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525, 606, 607, 628.

**ESTATES AND INTERESTS IN PROPERTY [G.S. 41]**

- S 1165 General Statutes Commission Technical Corrections  
(S.L. 2010-96.) .....33, 327, 339, 605,  
606, 628.
- H 1740 General Statutes Commission Technical Corrections  
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- H 748 Citizens United Response  
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487, 522, 628.
- S 1255 Clarify Indirect Gift Analysis  
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- S 1299 Clarify Lobbyist Principals Reporting Requirements  
(Judiciary I Com).....65.
- S 716 Ethics and Government Reform Changes 2010  
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- S 1239 Ethics Technical Changes and Other Changes  
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- H 961 Government Ethics and Campaign Reform Act of 2010  
(S.L. 2010-169.)  
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536, 609, 615, 629.
- S 1112 Modernization of the State Alcoholic Beverage Control  
System  
(Judiciary II Com) .....19.
- H 1717 Modernization of the State Alcoholic Beverage Control  
System  
(S.L. 2010-122.) .....225, 274, 384, 392,  
410, 471.

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**EXECUTIVE ORGANIZATION ACT OF 1973 [G.S. 143B]**

H 1766 Amend Environmental Laws 2010  
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 432, 476, 485, 502,  
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 H 524 Annexation - Omnibus Changes  
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 S 1236 Annexing Low-Income Areas  
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 S 897 Appropriations Act of 2010  
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 141, 144, 150, 258,  
 273, 290, 294, 299,  
 311.  
 S 1202 Budget Technical Corrections  
 (S.L. 2010-123.)  
 (Inc. S.L. 2010-31.) .....40, 184, 194, 606,  
 608, 611, 615, 628.  
 S 1415 Change Name to WNC Public Lands Council  
 (Appropriations/Base Budget Com) .....94, 147.  
 S 1168 Create Aviation Management Division  
 (Transportation Com)  
 (Inc. S.L. 2010-31.) .....34.  
 H 1734 Department of Transportation Powers and Duties Changes  
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 271, 403.  
 S 1159 DOT Powers and Duties Changes  
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 H 1802 Environment and Natural Resources Reports  
 Consolidated/Technical Corrections 2010  
 (S.L. 2010-142.) .....256, 323, 324, 343,  
 359, 469.  
 S 1163 Environment and Natural Resources Reports Consolidation 2010  
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 S 716 Ethics and Government Reform Changes 2010  
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S 1165	General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
H 1740	General Statutes Commission Technical Corrections (Judiciary II Com) .....	431.
H 961	Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.
S 1344	Governor's Budget (Appropriations/Base Budget Com) .....	75.
S 1180	Implement Gender Neutral Terms (Judiciary II Com) .....	36.
S 1171	Keeping North Carolina Competitive Act (S.L. 2010-91.) .....	34, 98, 102, 118, 447, 478, 552, 625.
S 1182	Law Enforcement Support Services Funding (Appropriations/Base Budget Com) .....	36.
S 1333	North Carolina Sustainable Communities Task Force (Appropriations/Base Budget Com) (Inc. S.L. 2010-31.) .....	71.
S 1177	Revenue Laws Technical and Administrative Changes (S.L. 2010-95.) (Inc. S.L. 2010-31.) .....	35, 98, 102, 118, 312, 344, 382, 400.
S 1244	State Board of Education Members Ex Officio to Economic Development Commission (S.L. 2010-184.) .....	54, 185, 195, 306, 319, 331.
S 1213	State Purchases and Contracts Laws Amended (S.L. 2010-194.) (Inc. S.L. 2010-31.) .....	46, 181, 191, 227, 233, 268, 467.
S 1190	Update Long-Term Care Statutes (Health Care Com) .....	38.
H 1698	Update Long-Term Care Statutes (S.L. 2010-66.) .....	170, 221, 246, 251, 473.
H 1973	Various Economic Incentives (S.L. 2010-147.) (Inc. S.L. 2010-31.) .....	212, 325, 339, 359, 361, 379, 420, 439, 447, 477, 487, 502, 605, 627.

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S 18	Amend Cemetery Act (S.L. 2010-102.) .....	369, 383, 399.
S 1219	Animal Euthanasia Technicians (Judiciary I Com).....	47.
H 1741	Animal Euthanasia Technicians (S.L. 2010-127.) .....	231, 275, 301, 371.
S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 1168	Create Aviation Management Division (Transportation Com) (Inc. S.L. 2010-31.) .....	34.
S 887	Electronics Recycling Law Amended (S.L. 2010-67.) .....	265, 304, 308, 473.
S 1317	Electronics Recycling Requirements Amended (Agriculture/Environment/Natural Resources Com) .....	68.
S 1216	Extend Emergency Foreclosure Program (S.L. 2010-168.) .....	47, 147, 161, 167, 290, 319, 345, 382, 400.
S 655	Increase Drivers License Restoration Fee (S.L. 2010-130.) .....	98, 103, 119, 363, 383, 411, 417.
S 1210	Increase Licensure Fees/Athletic Trainers (S.L. 2010-98.) .....	45, 182, 194, 371.
S 1195	Law Enforcement Officers Memorial Plate (Finance Com).....	39, 42.
S 1407	Lottery Commission Regulate Video Gaming (Finance Com).....	92.
S 992	Pyrotechnics Operator's License (S.L. 2010-22.) .....	229, 230, 252.
S 1419	Regulate Certain Coal-Ash Structural Fill (Rules and Operations of the Senate Com).....	94.
S 829	Regulation of Appraisal Management Companies (S.L. 2010-141.) .....	264, 303, 308.
S 1332	Spay/Neuter Program Transfer (H Finance Com) (Inc. S.L. 2010-152.) (Inc. S.L. 2010-31.) .....	71, 188, 189, 195.
S 1388	Special Plate for Federal Employees (Finance Com).....	90.

**FILINGS, NAMES, AND REGISTERED AGENTS FOR CORPS,  
NONPROFIT CORPS, & PARTNERSHIPS [G.S. 55D]**

S 308	Low-Profit Limited Liability Company (S.L. 2010-187.) .....	506.
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**FINANCIAL PRIVACY ACT [G.S. 53B]**

S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 1188	Improve Tax and Debt Collection Process (Finance Com).....	37, 42.

**FINES AND PENALTIES**

S 1167	Amend Environmental Laws 2010 (Agriculture/Environment/Natural Resources Com) .....	33.
H 1766	Amend Environmental Laws 2010 (S.L. 2010-180.) .....	396, 405, 427, 429, 432, 476, 485, 502, 504, 625.
S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 12	Ban Mobile Phone Use While Driving (Appropriations/Base Budget Com) .....	327.
S 1172	Fair Tax Penalties (Finance Com) (Inc. S.L. 2010-31.) .....	35.
S 1132	Motor Vehicles Law Changes (Transportation Com) .....	22.
H 1729	Motor Vehicles Law Changes (S.L. 2010-132.) .....	210, 248, 326, 342, 469.
S 1136	Regulate Towing From Private Lots (S.L. 2010-134.) .....	27, 158, 167, 369, 377, 411, 417.
S 829	Regulation of Appraisal Management Companies (S.L. 2010-141.) .....	264, 303, 308.
S 1131	Turnpike Authority Toll Enforcement Changes (Finance Com).....	22.
H 1685	Turnpike Authority Toll Enforcement Changes (S.L. 2010-133.) .....	291, 324, 340, 468.

**FORIEST, SENATOR TONY** .....**24th District—Alamance**, Caswell.  
 Adjournment Motion—Second.....180.  
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 Conference .....145.  
 Bills and Resolutions—(Senate Bills).  
 Primary Sponsor ..... 1120, 1121, 1122, 1138, 1139, 1140, 1141, 1142,  
 1143, 1363, 1364, 1378, 1388, 1389, 1391.  
 Co-Sponsor ..... 1125, 1126, 1127, 1128, 1154, 1178, 1198, 1199,  
 1200, 1201, 1202, 1211, 1244, 1245, 1246, 1247,  
 1248, 1249, 1250, 1253, 1255, 1260, 1265, 1267,  
 1268, 1284, 1285, 1286, 1287, 1289, 1298, 1322,  
 1323, 1324, 1332, 1333, 1362.

**FORRESTER, SENATOR JAMES** .....**41st District—Gaston** (part),  
 Iredell (part), Lincoln.  
 Absent of Leave .....249, 613 (portion).  
 Bills and Resolutions—(Senate Bills).  
 Primary Sponsor ..... 1155, 1156, 1157.  
 Co-Sponsor ..... 1134, 1136, 1147, 1148, 1178, 1179, 1188, 1189,  
 1190, 1191, 1192, 1193, 1194, 1195, 1203, 1204,  
 1258, 1260, 1349, 1366, 1386.

**FORSYTH COUNTY**—District 31—Senator Peter S. Brunstetter  
 District 32—Senator Linda Garrou  
 S 1435 Planning and Zoning in Forsyth County  
 (S.L. 2010-62.) ..... 105, 147, 158, 404,  
 472.  
 H 2042 Sanford Property Transfer/King Taxes  
 (S.L. 2010-55.) ..... 172, 207, 226, 332,  
 374.  
 H 1893 Winston-Salem/Ashe Fox Trapping/Greene Hunting  
 (S.L. 2010-82.) .....307, 388, 391, 470,  
 508.  
 H 2052 Winston-Salem/Assessments Exemption  
 (S.L. 2010-60.) .....232, 294, 313, 337,  
 373, 405.  
 H 2050 Winston-Salem/Council Meetings  
 (State & Local Government Com).....365.  
 H 2059 Winston-Salem/Informal Bids Electronically  
 (State & Local Government Com).....365.

**FRANKLIN COUNTY**—District 7—Senator Doug Berger

**GARROU, SENATOR LINDA** ..... **32nd District—Forsyth** (part).  
 Absent of Leave ..... 132, 139, 249.  
 Adjournment Motion—Second.....42.



**GARROU, SENATOR LINDA** (continued)

Committee Assignments—

Conference ..... 144, 414, 439, 484, 490, 607.

Escorts—

The Honorable Margaret H. Dickson.....7.

Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1174, 1175, 1343, 1344, 1395, 1396, 1450.

Co-Sponsor ..... 1178, 1181, 1195, 1265, 1266, 1267, 1268, 1274,  
1334, 1368, 1375, 1378.

**GASTON COUNTY**—District 41—Senator James Forrester  
District 43—Senator David W. Hoyle

**GATES COUNTY**—District 4—Senator Edward W. Jones

**GENERAL ASSEMBLY [G.S. 120]**

S 1167 Amend Environmental Laws 2010

(Agriculture/Environment/Natural Resources Com) .....33.

H 1766 Amend Environmental Laws 2010

(S.L. 2010-180.) .....396, 405, 427, 429,  
432, 476, 485, 502,  
504, 625.

S 897 Appropriations Act of 2010

(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.

H 1802 Environment and Natural Resources Reports

Consolidated/Technical Corrections 2010

(S.L. 2010-142.) .....256, 323, 324, 343,  
359, 469.

S 1162 Environmental Technical Corrections 2010

(Agriculture/Environment/Natural Resources Com) .....32.

H 1801 Environmental Technical Corrections 2010

(Rules and Operations of the Senate Com).....255.

S 1221 Establish North Carolina Commission on Climate Change

(Agriculture/Environment/Natural Resources Com) .....48.

S 1165 General Statutes Commission Technical Corrections

(S.L. 2010-96.) .....33, 327, 339, 605,  
606, 628.

H 1740 General Statutes Commission Technical Corrections

(Judiciary II Com) .....431.

H 961 Government Ethics and Campaign Reform Act of 2010

(S.L. 2010-169.)  
(Inc. S.L. 2010-31.) .....208, 215, 227, 329,  
340, 358, 359, 362,  
536, 609, 615, 629.

**GENERAL ASSEMBLY [G.S. 120] (continued)**

S 1344 Governor's Budget  
 (Appropriations/Base Budget Com) .....75.

S 1180 Implement Gender Neutral Terms  
 (Judiciary II Com) .....36.

S 1226 Inventory of Antipoverty Efforts  
 (Rules and Operations of the Senate Com).....49.

S 1333 North Carolina Sustainable Communities Task Force  
 (Appropriations/Base Budget Com)  
 (Inc. S.L. 2010-31.) .....71.

S 1229 Permanent Poverty Study  
 (Rules and Operations of the Senate Com).....50.

**GEOLOGISTS LICENSING ACT [G.S. 89E]**

S 1213 State Purchases and Contracts Laws Amended  
 (S.L. 2010-194.)  
 (Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
 233, 268, 467.

**GLOBAL TRANSPARK AUTHORITY [G.S. 63A]**

S 1213 State Purchases and Contracts Laws Amended  
 (S.L. 2010-194.)  
 (Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
 233, 268, 467.

**GOINS, CECIL (Sergeant-at-Arms).**

**GOODALL, SENATOR W. EDWARD (EDDIE) ..... 35th District—**  
 Mecklenburg (part), **Union.**

Absent of Leave ..... 112, 233, 249, 261, 289, 485 (portion), 551.

Committee Assignments—  
 Conference .....413.

Paired Votes—  
 S 897 Appropriations Act of 2010.....273, 295.

Bills and Resolutions—(Senate Bills).  
 Primary Sponsor .....None.  
 Co-Sponsor ..... 1134, 1136, 1156, 1157, 1188, 1195, 1240, 1241,  
 1242, 1243, 1295, 1323, 1324, 1335, 1336, 1347,  
 1386.

**GOSS, SENATOR STEVE .....45th District—Alexander,**  
 Ashe, **Watauga, Wilkes.**

Absent of Leave ..... 612 (portion).

Adjournment Motion—Second.....168.

Committee Assignments—  
 Conference .....145, 484, 537.

**GOSS, SENATOR STEVE** (continued)

## Paired Votes—

S 704 Reform Low-Performing Schools .....110.

Prayer..... 123, 131, 398, 551.

## Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1130, 1131, 1132, 1159, 1211, 1237, 1239, 1254,  
1255, 1299, 1355, 1356, 1370, 1428.Co-Sponsor ..... 1144, 1160, 1173, 1178, 1189, 1190, 1191, 1192,  
1193, 1194, 1198, 1199, 1200, 1201, 1202, 1203,  
1205, 1258, 1260, 1298.**GOVERNOR** (The Honorable Beverly Eaves Perdue).

## Appointments—

Utilities Commission (Lucy T. Allen).....12.

**GRAHAM COUNTY**—District 50—Senator John J. Snow, Jr.S 1436 Graham County Relief  
(Judiciary II Com) .....105.S 1022 School Calendar Flexibility/Inclement Weather  
(Rules and Operations of the Senate Com).....116.S 1358 School Calendar Flexibility/Inclement Weather  
(Education/Higher Education Com) .....80.**GRAHAM, SENATOR MALCOLM**.....**40th District—Mecklenburg** (part).

Absent of Leave ..... 113, 132, 139, 162, 233.

Adjournment Motion—Second.....26.

## Committee Assignments—

Conference .....145.

## Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1240, 1241, 1242, 1243, 1335, 1336, 1401, 1402,  
1417, 1418, 1429, 1430, 1431.Co-Sponsor ..... 1136, 1246, 1247, 1248, 1249, 1250, 1260, 1265,  
1266, 1267, 1268, 1284, 1285, 1286, 1287, 1288,  
1289, 1295, 1332, 1333, 1347, 1384, 1424.**GRANVILLE COUNTY**—District 7—Senator Doug Berger**GREENE COUNTY**—District 5—Senator Don DavisS 1130 Ashe Fox Trapping/Greene Hunting  
(H Wildlife Resources Com) .....22, 140, 146.H 1893 Winston-Salem/Ashe Fox Trapping/Greene Hunting  
(S.L. 2010-82.) .....307, 388, 391, 470,  
508.

**GUILFORD COUNTY**—District 26—Senator Philip E. Berger  
 District 27—Senator Donald R. Vaughan  
 District 28—Senator Katie G. Dorsett  
 District 33—Senator Stan Bingham

S 1121 Burlington Charter/Real Property Sale/Lease  
 (S.L. 2010-53.) .....21, 177, 183, 332,  
 373.

S 1120 Burlington Economic Development  
 (S.L. 2010-25.) .....21, 83, 102, 262,  
 292.

S 1122 Burlington Economic Development  
 (State & Local Government Com).....21.

S 1448 Greensboro City Manager/Contracts  
 (State & Local Government Com).....107.

S 1412 Greensboro/Collect Past-Due Utility Charges  
 (Finance Com).....93.

S 1361 Greensboro/High Point Boundary Swap  
 (S.L. 2010-75.) .....81, 147, 156, 166,  
 418, 474.

S 1413 Greensboro/Records of Criminal Investigations  
 (Judiciary I Com).....93.

S 1345 Greensboro/Relocation of Wildlife  
 (H Wildlife Resources Com) .....75, 207, 226.

**HALIFAX COUNTY**—District 4—Senator Edward W. Jones

**HARNETT COUNTY**—District 22—Senator Harris Blake

**HARRISON, TED** (Reading Clerk).

**HARTSELL, SENATOR FLETCHER L., Jr.** ..... **36th District**—  
**Cabarrus, Iredell** (part).  
 Absent of Leave .....113, 420 (portion), 613 (portion).  
 Adjournment Motion—Second .....110.  
 Committee Assignments—  
 Conference ..... 145, 160, 280, 482, 538.  
 Bills and Resolutions—(Senate Bills).  
 Primary Sponsor ..... 1144, 1145, 1146, 1160, 1162, 1163, 1164, 1165,  
 1166, 1173, 1180, 1185, 1186, 1196, 1197, 1217,  
 1218, 1219, 1252, 1357, 1443, 1444.  
 Co-Sponsor ..... 1134, 1138, 1139, 1140, 1141, 1142, 1143, 1168,  
 1176, 1177, 1178, 1183, 1187, 1188, 1198, 1199,  
 1201, 1202, 1209, 1211, 1213, 1215, 1237, 1239,  
 1255, 1299, 1332, 1333, 1334, 1351, 1430.

**HAYWOOD COUNTY**—District 47—Senator Joe Sam Queen

District 50—Senator John J. Snow, Jr.

- H 1695 Repeal Waynesville Firemen's Supplemental Pension  
(S.L. 2010-43.) .....155, 174, 181, 266,  
297, 310, 334.
- S 1022 School Calendar Flexibility/Inclement Weather  
(Rules and Operations of the Senate Com).....116.
- S 1358 School Calendar Flexibility/Inclement Weather  
(Education/Higher Education Com) .....80.

**HENDERSON COUNTY**—District 48—Senator Tom Apodaca**HERTFORD COUNTY**—District 4—Senator Edward W. Jones**HIGHER EDUCATION [G.S. 116]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- H 357 School Absence for Religious Holidays  
(S.L. 2010-112.) .....292, 317, 343, 468.
- S 1323 State Education Assistance Authority Board Membership  
Amended  
(S.L. 2010-109.) .....70, 157, 168, 309.
- H 1884 State Education Assistance Authority Board Membership  
Amended  
(Education/Higher Education Com) .....183.
- H 1292 University Energy Savings/LEA Operational Leases  
(S.L. 2010-196.) ..... 10, 293, 317, 471.
- S 1406 Veterans and Dependents/In-State Tuition  
(Education/Higher Education Com) .....92.

**HIGHER EDUCATION BONDS [G.S. 116D]**

- S 1175 Abolish Higher Education Bond Oversight Committee  
(Rules and Operations of the Senate Com).....35.

**HOKE COUNTY**—District 13—Senator Michael P. Walters

- S 1208 13th Senatorial District Local Act-2  
(Rules and Operations of the Senate Com).....45.

**HOUSING FINANCE AGENCY [G.S. 122A]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.

**HOUSING FINANCE AGENCY [G.S. 122A] (continued)**

S 1344 Governor's Budget  
(Appropriations/Base Budget Com) .....75.

**HOYLE, SENATOR DAVID W.**..... **43rd District—Gaston** (part).  
Absent of Leave ..... 138 (portion), 233, 370, 398.  
Adjournment Motion—Second..... 19, 74, 86, 550, 631.  
Committee Assignments—  
Conference ..... 145, 160, 179, 280, 512, 538, 613.  
Standing/Select.....9.  
Remarks Spread—  
Farewell Remarks.....528.  
Bills and Resolutions—(Senate Bills).  
Primary Sponsor ..... 1110, 1161, 1209, 1210, 1290, 1291, 1292, 1293,  
1294, 1342, 1371, 1372, 1373, 1374, 1462.  
Co-Sponsor ..... 1136, 1176, 1177, 1183, 1185, 1186, 1187, 1188,  
1205, 1211, 1215, 1258, 1260, 1278, 1279, 1280,  
1281, 1282, 1283, 1378, 1450.

**HUNT, SENATOR NEAL** ..... **15th District—Wake** (part).  
Absent of Leave ..... 608 (portion).  
Adjournment Motion—Second.....258, 329.  
Escorts—  
William Bunn and guests .....222.  
Adrienne Core, Miss North Carolina 2010 .....269.  
Excused Votes—  
H 683 Prepaid Wireless Sunset/Permit Extensions .....228.  
Journal Approval.....328.  
Bills and Resolutions—(Senate Bills).  
Primary Sponsor ..... 1124.  
Co-Sponsor ..... 1134, 1137, 1178, 1349, 1386.

**HYDE COUNTY—District 1—Senator Marc Basnight**

**IMMIGRATION**

S 1258 Disapprove Community College Rule/Illegal Aliens  
(Education/Higher Education Com) .....57.

**INCORPORATION**

S 1449 Incorporate Lake James  
(Rules and Operations of the Senate Com).....107.

**INDUSTRIAL AND POLLUTION CONTROL FACILITIES POOL  
PROGRAM FINANCING ACT [G.S. 159D]**

S 1165 General Statutes Commission Technical Corrections  
(S.L. 2010-96.) .....33, 327, 339, 605,  
606, 628.

**INNOCENCE INQUIRY COMMISSION**

- S 144 Innocence Inquiry Commission Amended  
(S.L. 2010-171.) .....116, 124, 201, 213,  
214, 223, 495, 502,  
512, 537.

**INSPECTION AND LICENSING OF FACILITIES [G.S. 131D]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.

**INSURANCE [G.S. 58]**

- H 766 Annuity Insolvency Coverage/Insurance Guaranty Association  
(S.L. 2010-11.) .....85, 120, 129, 175,  
235.
- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- S 1242 Clarifying Changes to General Statutes  
(S.L. 2010-97.) .....54, 178, 186, 518,  
525, 606, 607, 628.
- S 354 Continuing Care Retirement Community/Home Care  
(S.L. 2010-128.)  
(Inc. S.L. 2010-31.) .....363, 375, 387, 393,  
401.
- S 1338 Fire Safe Cigarettes  
(Finance Com) .....72, 206.
- H 1905 Fire Safe Cigarettes  
(S.L. 2010-101.) .....364, 374, 391, 409,  
469.
- S 1165 General Statutes Commission Technical Corrections  
(S.L. 2010-96.) .....33, 327, 339, 605,  
606, 628.
- H 1740 General Statutes Commission Technical Corrections  
(Judiciary II Com) .....431.
- H 589 Insurance and State Health Plan Cover/Hearing Aids/Autism  
(S.L. 2010-2.) .....77, 78, 86, 100,  
139.
- H 1429 Mortgage Guaranty Insurer Sunset Extended  
(S.L. 2010-40.) .....85, 105, 196, 333.
- H 144 No Set Fee/Noncovered Dental Services  
(S.L. 2010-138.) .....134, 141, 209, 316,  
339, 357, 468.

**INSURANCE [G.S. 58] (continued)**

S 992 Pyrotechnics Operator's License  
 (S.L. 2010-22.) .....229, 230, 252.

S 1213 State Purchases and Contracts Laws Amended  
 (S.L. 2010-194.)  
 (Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
 233, 268, 467.

S 1450 State Retirement Age and Service Change  
 (Pensions & Retirement and Aging Com) .....107.

S 1265 Treatment of Autism Disorders  
 (Health Care Com) .....58.

**INTEREST [G.S. 24]**

S 1216 Extend Emergency Foreclosure Program  
 (S.L. 2010-168.) .....47, 147, 161, 167,  
 290, 319, 345, 382,  
 400.

**IREDELL COUNTY**—District 36—Senator Fletcher L. Hartsell, Jr.  
 District 41—Senator James Forrester  
 District 42—Senator Austin M. Allran

H 337 Statesville Deannexation  
 (S.L. 2010-28.) .....217, 243, 267, 292,  
 311.

**JACKSON COUNTY**—District 50—Senator John J. Snow, Jr.

S 1437 Highlands Mayor Pro Tem  
 (S.L. 2010-58.) .....105, 147, 158, 372,  
 405.

S 1359 Highlands Scholarship Fund Amended  
 (S.L. 2010-9.) .....80, 127, 135, 146,  
 153, 155, 156, 205,  
 217.

S 1022 School Calendar Flexibility/Inclement Weather  
 (Rules and Operations of the Senate Com).....116.

S 1358 School Calendar Flexibility/Inclement Weather  
 (Education/Higher Education Com) .....80.

**JACUMIN, SENATOR JIM** ..... **44th District**—Burke, Caldwell.

Absent of Leave .....100, 243, 249, 513 (portion), 551

Paired Votes—

S 897 Appropriations Act of 2010.....294.

Remarks Spread—

Farewell Remarks.....434.

Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1410, 1449, 1463.



**JACUMIN, SENATOR JIM** (continued)

Co-Sponsor ..... 1134, 1155, 1156, 1178, 1240, 1241, 1242, 1243,  
1258, 1260, 1284, 1286, 1287, 1348, 1349, 1365,  
1366, 1386.

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

Absent of Leave ..... 216, 233, 249.

## Committee Assignments—

Conference ..... 145, 160, 439, 490, 512, 613.

## Excused Votes—

S 778 Application of SEPA to Incentives ..... 517.

## Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1214, 1215, 1350.

Co-Sponsor ..... 1176, 1177, 1178, 1183, 1185, 1186, 1187, 1188,  
1205, 1209, 1211, 1246, 1247, 1248, 1249, 1250,  
1260, 1371, 1372, 1373.

**JOHNSTON COUNTY**—District 12—Senator David Rouzer

H 710 Archer Lodge Boundary Correction

(S.L. 2010-85.) ..... 207, 266, 296, 313,  
507, 537.

**JOINT SESSIONS**

S 1456 Honor Duke Basketball Team

(Res. 16.) ..... 210, 213, 237, 242.

S 1455 Joint Session to Honor Blue Devils

(Res. 12.) ..... 197, 200, 205, 236.

**JONES COUNTY**—District 6—Senator Harry Brown**JONES, SENATOR EDWARD W.** ..... **4th District—Bertie,**

Chowan, Gates, **Halifax,**

Hertford, Northampton,

Perquimans.

Adjournment Motion—Second ..... 154, 394.

## Committee Assignments—

Conference ..... 145.

## Bills and Resolutions—(Senate Bills).

Primary Sponsor ..... 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233,  
1234, 1235, 1236, 1297, 1458.

Co-Sponsor ..... 1117, 1119, 1125, 1126, 1127, 1128, 1136, 1178,  
1240, 1241, 1242, 1243, 1246, 1247, 1248, 1249,  
1250, 1260, 1265, 1266, 1267, 1268, 1284, 1285,  
1286, 1287, 1288, 1289, 1332, 1333, 1351, 1378,  
1397, 1398, 1400.

**JUDICIAL DEPARTMENT [G.S. 7A]**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
H 1076 Bladen Fox Hunting (H Wildlife Resources Com) .....	176, 184.
H 1874 Chapter 50B Fee Clarification (Judiciary I Com).....	232.
H 1412 Courts-Martial Amendments (S.L. 2010-193.) .....	279, 301, 402.
H 1398 Determining Senior Resident Superior Court Judge (S.L. 2010-105.) .....	336, 381, 482, 484, 519, 526, 625.
S 1340 Divide Prosecutorial District 13 (Appropriations/Base Budget Com) .....	74.
S 1408 Divide Superior Court District 13B (Judiciary I Com).....	92.
S 716 Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com).....	368, 376.
S 1165 General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
H 1740 General Statutes Commission Technical Corrections (Judiciary II Com) .....	431.
H 961 Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.
S 1344 Governor's Budget (Appropriations/Base Budget Com) .....	75.
S 144 Innocence Inquiry Commission Amended (S.L. 2010-171.) .....	116, 124, 201, 213, 214, 223, 495, 502, 512, 537.
S 1382 Judicial Department Funding/Interpreters (Judiciary I Com).....	88.
S 1450 State Retirement Age and Service Change (Pensions & Retirement and Aging Com) .....	107.

**JUVENILE CODE [G.S. 7B]**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
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**JUVENILE CODE [G.S. 7B] (continued)**

H 1403 Collect DNA Sample on Arrest  
 (S.L. 2010-94.) .....396, 405, 415, 419,  
 509, 521, 538, 552,  
 609, 629.

S 1382 Judicial Department Funding/Interpreters  
 (Judiciary I Com).....88.

S 567 Responsible Individuals List/Abuse and Neglect  
 (S.L. 2010-90.) ..... 124, 148, 159, 160,  
 169, 204, 346, 386,  
 390, 400.

S 1383 Safer Streets/DNA Initiatives  
 (Judiciary I Com).....89, 395, 408, 412.

**KINNAIRD, SENATOR ELEANOR..... 23rd District—Orange, Person.**  
 Absent of Leave ..... 135 (portion).  
 Adjournment Motion—Second..... 131, 204.  
 Committee Assignments—  
 Conference ..... 145, 494.  
 Remarks Spread—  
 S 1456 Honoring the Duke Blue Devils Basketball Team .....239.  
 Bills and Resolutions—(Senate Bills).  
 Primary Sponsor ..... 1113, 1114, 1362, 1419.  
 Co-Sponsor ..... 1169, 1170, 1260, 1265, 1266, 1268, 1285, 1286,  
 1287, 1288, 1289, 1317, 1332, 1333, 1337, 1384,  
 1398, 1424, 1440, 1441, 1442.

**LANDLORD AND TENANT [G.S. 42]**

S 1242 Clarifying Changes to General Statutes  
 (S.L. 2010-97.) .....54, 178, 186, 518,  
 525, 606, 607, 628.

**LAW ENFORCEMENT/OFFICERS**

H 859 Concealed Handgun Permit Laws Amended  
 (S.L. 2010-104.) ..... 11, 134, 179, 327,  
 340, 483, 484, 492,  
 494, 509, 537.

S 1195 Law Enforcement Officers Memorial Plate  
 (Finance Com).....39, 42.

H 1307 No Felon as Sheriff  
 (S.L. 2010-49.) .....220, 229, 320, 331,  
 334.

S 1450 State Retirement Age and Service Change  
 (Pensions & Retirement and Aging Com) .....107.

**LEE COUNTY**—District 18—Senator Bob Atwater

H 2042 Sanford Property Transfer/King Taxes (S.L. 2010-55.) .....	172, 207, 226, 332, 374.
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**LENOIR COUNTY**—District 10—Senator Charles W. Albertson

**LICENSE PLATES**

S 1195 Law Enforcement Officers Memorial Plate (Finance Com).....	39, 42.
H 1143 Military Wartime Veteran Special Plate Change (S.L. 2010-39.) .....	217, 245, 250, 333.
S 1132 Motor Vehicles Law Changes (Transportation Com) .....	22.
S 1332 Spay/Neuter Program Transfer (H Finance Com) (Inc. S.L. 2010-152.) (Inc. S.L. 2010-31.) .....	71, 188, 189, 195.
S 1388 Special Plate for Federal Employees (Finance Com).....	90.

**LICENSING, CERTIFICATION, PERMITS**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 1119 Early Education Certification (S.L. 2010-178.) (Inc. S.L. 2010-31.) .....	21, 184, 185, 193, 368, 385, 399.
S 1407 Lottery Commission Regulate Video Gaming (Finance Com).....	92.
S 992 Pyrotechnics Operator's License (S.L. 2010-22.) .....	229, 230, 252.
S 1419 Regulate Certain Coal-Ash Structural Fill (Rules and Operations of the Senate Com).....	94.

**LIEUTENANT GOVERNOR** (The Honorable Walter H. Dalton)

**LIMITED LIABILITY COMPANY ACT [G.S. 57C]**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
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**LIMITED LIABILITY COMPANY ACT [G.S. 57C]** (continued)

S 308	Low-Profit Limited Liability Company (S.L. 2010-187.)	506.
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**LINCOLN COUNTY**—District 41—Senator James Forrester**LOBBYING [G.S. 120C]**

H 748	Citizens United Response (S.L. 2010-170.)	395, 408, 438, 477, 487, 522, 628.
S 1255	Clarify Indirect Gift Analysis (Judiciary I Com)	57.
S 1299	Clarify Lobbyist Principals Reporting Requirements (Judiciary I Com)	65.
S 1380	Disapprove Rule (Rules and Operations of the Senate Com)	88.
S 716	Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com)	368, 376.
S 1239	Ethics Technical Changes and Other Changes (Judiciary I Com)	53.
H 961	Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.)	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.

**LOCAL DEVELOPMENT [G.S. 158]**

S 1244	State Board of Education Members Ex Officio to Economic Development Commission (S.L. 2010-184.)	54, 185, 195, 306, 319, 331.
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**LOCAL GOVERNMENT FINANCE [G.S. 159]**

H 1734	Department of Transportation Powers and Duties Changes (S.L. 2010-165.)	171, 218, 219, 247, 271, 403.
S 1159	DOT Powers and Duties Changes (Transportation Com)	31.
H 666	Electronic Payments by Local Governments (S.L. 2010-99.)	278, 300, 418.
S 1212	Local Government Other Post-Employment Benefits (S.L. 2010-175.)	46, 119, 127, 373.
H 1936	Remove Sunset/Private Sale Local Government Bonds (S.L. 2010-125.)	265, 294, 315, 338, 372.

**LOCAL GOVERNMENT FINANCE [G.S. 159] (continued)**

S 1177 Revenue Laws Technical and Administrative Changes  
 (S.L. 2010-95.)  
 (Inc. S.L. 2010-31.) .....35, 98, 102, 118,  
 312, 344, 382, 400.

**LONG-TERM CARE**

S 1193 Implement Long-Term Care Partnership Program  
 (S.L. 2010-68.) .....38, 133, 142, 254,  
 272, 291, 473.

S 1190 Update Long-Term Care Statutes  
 (Health Care Com) .....38.

H 1698 Update Long-Term Care Statutes  
 (S.L. 2010-66.) .....170, 221, 246, 251,  
 473.

**MACON COUNTY—District 50—Senator John J. Snow, Jr.**

S 1437 Highlands Mayor Pro Tem  
 (S.L. 2010-58.) .....105, 147, 158, 372,  
 405.

S 1359 Highlands Scholarship Fund Amended  
 (S.L. 2010-9.) .....80, 127, 135, 146,  
 153, 155, 156, 205,  
 217.

S 1022 School Calendar Flexibility/Inclement Weather  
 (Rules and Operations of the Senate Com).....116.

S 1358 School Calendar Flexibility/Inclement Weather  
 (Education/Higher Education Com) .....80.

**MADISON COUNTY—District 47—Senator Joe Sam Queen**

**MARRIAGE [G.S. 51]**

H 1281 Federal Judge Temporarily Perform Marriage  
 (House Received) .....438, 440.

**MARTIN COUNTY—District 3—Senator S. Clark Jenkins**

H 1821 Allow Williamston to Operate Motorized All-Terrain Vehicles  
 (S.L. 2010-46.) .....211, 269, 297, 310,  
 334.

**McDOWELL COUNTY—District 47—Senator Joe Sam Queen**

S 1449 Incorporate Lake James  
 (Rules and Operations of the Senate Com).....107.

H 1754 Tax Certification - Dare and McDowell  
 (S.L. 2010-44.) .....225, 266, 297, 310,  
 334.

**McKISSICK, SENATOR FLOYD B., JR..... 20th District—Durham (part).**  
 Adjournment Motion—Second.....231, 320.  
 Committee Assignments—  
   Conference .....145.  
 Escorts—  
   Duke University Men’s Basketball Team .....236.  
 Remarks Spread—  
   S 1456 Honoring the Duke Blue Devils Basketball Team .....237.  
 Bills and Resolutions—(Senate Bills).  
   Primary Sponsor ..... 1332, 1333, 1351, 1385, 1392, 1393, 1394, 1397,  
     1398, 1399, 1446.  
   Co-Sponsor .....1178, 1246, 1247, 1248, 1249, 1250, 1260, 1334,  
     1440, 1441, 1442, 1456, 1461.

**MECKLENBURG COUNTY—District 35—Senator W. Edward (Eddie)  
 Goodall  
 District 37—Senator Daniel G. Clodfelter  
 District 38—Senator Charlie Smith Dannelly  
 District 39—Senator Robert Rucho  
 District 40—Senator Malcolm Graham**

S 1336 Charlotte Firefighters' Retirement Amended  
 (Pensions & Retirement and Aging Com) .....72.  
 H 1934 Charlotte Firefighters' Retirement Amended  
 (S.L. 2010-7.) .....172, 181, 192, 197,  
     206.  
 S 1401 Emergency Fund for LEO's in Mecklenburg County  
 (Pensions & Retirement and Aging Com) .....91.  
 S 1347 Increase Property Tax Appeals Efficiency  
 (Finance Com).....75.  
 S 1367 Increase Property Tax Appeals Efficiency  
 (Finance Com).....86.  
 S 1431 Increase Property Tax Appeals Efficiency  
 (Finance Com).....96.  
 H 1919 Matthews Public-Private Project  
 (S.L. 2010-52.) .....265, 294, 314, 320,  
     335.  
 S 1295 Matthews Public-Private Projects  
 (Finance Com).....64.  
 S 1335 Mecklenburg Energy Efficiency/Renewable  
 (Finance Com).....72.  
 S 1402 Mecklenburg Law Enforcement Benefit Cap Upped  
 (Pensions & Retirement and Aging Com) .....92.  
 H 1935 Mecklenburg Law Enforcement Cap Upped/Stipend  
 (S.L. 2010-8.) .....172, 181, 193, 197,  
     206.

**MECKLENBURG COUNTY (continued)**

S 1136 Regulate Towing From Private Lots  
 (S.L. 2010-134.) .....27, 158, 167, 369,  
 377, 411, 417.

**MEDICAID**

S 897 Appropriations Act of 2010  
 (S.L. 2010-31.) .....41, 43, 44, 52, 140,  
 141, 144, 150, 258,  
 273, 290, 294, 299,  
 311.

S 1320 Establish Medicaid Appeals Process  
 (Judiciary I Com).....69.

S 1344 Governor's Budget  
 (Appropriations/Base Budget Com) .....75.

S 1192 Medicaid Dental/Special Needs Population  
 (Health Care Com) .....38.

S 1306 Pilot Independent Assessments by LMEs  
 (Health Care Com) .....66.

S 765 Pooled Trusts/Medicaid Reimbursement  
 (S.L. 2010-118.) .....440, 478, 506.

S 675 Prohibit Medicaid Fraud/Kickbacks  
 (S.L. 2010-185.) .....368, 376, 411, 417.

**MEDICINE AND ALLIED OCCUPATIONS [G.S. 90]**

S 18 Amend Cemetery Act  
 (S.L. 2010-102.) .....369, 383, 399.

S 1219 Animal Euthanasia Technicians  
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S 1124 Authorizing/Amend Permit Extensions Act (Rules and Operations of the Senate Com).....	21.
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S 1451 Authorizing/Consider Cancellation and Expunction (Rules and Operations of the Senate Com).....	115.
S 1379 Authorizing/Disapprove Rule (Rules and Operations of the Senate Com).....	88.
S 1349 Authorizing/Failure to Carry or Complete Alien Registration Document (Rules and Operations of the Senate Com).....	75, 110, 215.
S 1365 Authorizing/Increase Penalty/Insurance Fiduciaries (Rules and Operations of the Senate Com).....	81.
S 1452 Authorizing/Make Synthetic Cannabinoids Illegal (Rules and Operations of the Senate Com).....	155.
S 1134 Authorizing/Protect Health Care Freedom (Rules and Operations of the Senate Com).....	27.

**RESOLUTIONS, JOINT**

S 1110 Adjournment Technical Corrections (Res. 1.) .....	10, 13.
S 1459 Albemarle Electric System's 100th Anniversary (Rules and Operations of the Senate Com).....	263.

**RESOLUTIONS, JOINT** (continued)

S 1391	Caswell County 233rd Anniversary (Res. 22.) .....	90, 250, 296, 310.
S 1457	Community College and UNC System Demographics/Study (Rules and Operations of the Senate Com) (Inc. S.L. 2010-152.) .....	252.
S 1290	Confirm Lucy Allen, Utilities Commission (Commerce Com) .....	63.
S 1352	Confirm Lucy Allen, Utilities Commission (Commerce Com) .....	76.
H 1907	Confirm Lucy T. Allen to the Utilities Commission (Res. 15.) .....	198, 206, 228, 234.
H 2038	CPR Awareness Week (Rules and Operations of the Senate Com).....	135.
H 2081	Honor Albemarle Electric System's 100th Anniversary (Res. 27.) .....	386, 401.
H 2076	Honor Americans with Disabilities Act Twentieth Anniversary (Res. 23.) .....	255, 256, 303, 318, 332.
S 1300	Honor Arthur W. Williamson (Res. 9.) .....	65, 174, 186, 190.
S 1454	Honor Betty Wiser (Res. 20.) .....	183, 209, 257, 262.
S 1137	Honor Bob Hensley (Rules and Operations of the Senate Com).....	27.
S 1096	Honor Christopher Duffy Collins (Res. 8.) .....	176.
S 1456	Honor Duke Basketball Team (Res. 16.) .....	210, 213, 237, 242.
S 1461	Honor Duke Lacrosse Team (Rules and Operations of the Senate Com).....	319.
H 1908	Honor Ernest Hertford "E.H." Bishop, Jr. (Rules and Operations of the Senate Com).....	255.
H 1675	Honor Four-Time NASCAR Sprint Cup Champion Jimmie Johnson (Res. 2.) .....	73, 77.
H 1901	Honor George Milton Holmes, Former Member of the General Assembly (Rules and Operations of the Senate Com).....	255.
H 2074	Honor Patrick Taylor, Sr. and Patrick Taylor, Jr. (Res. 13.) .....	201, 206.
S 1460	Honor James R. Turner (Res. 25.) .....	264, 335, 380, 400.
H 2080	Honor Jimmy Reese Lowry (Res. 26.) .....	385, 386, 401.

**RESOLUTIONS, JOINT** (continued)

S 1463 Honor John Arthur Forlines, Jr. (Res. 30.) .....	433, 477, 507.
S 1302 Honor Margaret Taylor Harper (Res. 21.) .....	65, 250, 296, 310.
H 1900 Honor Mickey Hutchens, Fallen Winston-Salem Police Officer (Res. 18.) .....	257, 262.
H 2071 Honor Myrna Miller Wellons (Res. 14.) .....	214, 217.
H 1407 Honor North Carolina Central University's 100th Anniversary (Res. 28.) .....	386, 402.
S 1453 Honor Patrick Taylor, Sr. and Patrick Taylor, Jr. (Rules and Operations of the Senate Com).....	155.
H 1722 Honor Pitt County's 250th Anniversary (Res. 6.) .....	143, 149.
H 1869 Honor Randolph County Veterans Honor Guard (Res. 7.) .....	161, 162.
H 1678 Honor Robert J. "Bob" Hensley, Jr., Former Member of the General Assembly (Res. 5.) .....	144, 149.
H 2082 Honor the 125th Anniversary of YMCA Camping (Res. 29.) .....	424, 472.
H 2077 Honor the City of New Bern's 300th Anniversary (Res. 19.) .....	257, 262.
H 1789 Honor the Town of Tryon's 125th Anniversary (Res. 10.) .....	186, 188, 190.
S 1257 Honor Transylvania County's 150th Anniversary (Rules and Operations of the Senate Com).....	57.
H 1790 Honor Transylvania County's 150th Anniversary (Rules and Operations of the Senate Com).....	255.
S 1301 Honor W. Horace Carter (Res. 17.) .....	65, 214, 256, 262.
H 2078 Honoring 100th Anniversary of the Boy Scouts of America (Res. 24.) .....	322, 343, 373.
H 2051 Honoring Little Switzerland Centennial (Res. 11.) .....	135, 178, 187, 190.
S 1390 Honoring NC Veterans on Memorial Day (Res. 3.) .....	83, 86, 111.
H 1940 Honoring North Carolina Veterans on Memorial Day (Res. 4.) .....	108, 114, 130, 132.
S 1455 Joint Session to Honor Blue Devils (Res. 12.) .....	197, 200, 205, 236.
S 1427 Legislative Research Commission Study Consolidation/State Agencies (Rules and Operations of the Senate Com) (Inc. S.L. 2010-152.) .....	96.



**RESOLUTIONS, JOINT** (continued)

- S 1232 Poverty Reduction: American Recovery Reinvestment Act  
Modifications  
(Rules and Operations of the Senate Com).....50.
- S 1462 Sine Die Adjournment  
(Res. 31.) .....335, 490, 519, 630,  
631.
- S 1416 Study Impact of Toxins On Health  
(Rules and Operations of the Senate Com)  
(Inc. S.L. 2010-152.) .....94.

**RETIREMENT SYSTEM FOR TEACHERS AND STATE EMPLOYEES;  
SOCIAL SECURITY; HEALTH INSURANCE [G.S. 135]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- S 1165 General Statutes Commission Technical Corrections  
(S.L. 2010-96.) .....33, 327, 339, 605,  
606, 628.
- H 589 Insurance and State Health Plan Cover/Hearing Aids/Autism  
(S.L. 2010-2.) .....77, 78, 86, 100,  
139.
- S 1341 Judicial Retirement System Amended  
(Pensions & Retirement and Aging Com) .....74.
- H 1998 Reciprocity for Optional Retirement Program Service  
(S.L. 2010-38.) .....183, 220, 247, 251,  
333.
- H 2054 Retirement Technical Corrections  
(S.L. 2010-72.) .....179, 220, 247, 251,  
474.
- H 2066 Special Retirement Allowances  
(S.L. 2010-124.) .....377, 388, 394, 410,  
471.
- S 1392 State Health Plan/Court-Ordered Guardianships  
(S.L. 2010-120.) .....90, 220, 245, 417.
- S 1251 State Health Plan/Treat Teachers Equitably  
(S.L. 2010-136.) .....56, 182, 195, 367,  
378, 412, 423, 442,  
478, 480, 483, 485,  
507.
- S 1213 State Purchases and Contracts Laws Amended  
(S.L. 2010-194.)  
(Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
233, 268, 467.

**RETIREMENT SYSTEM FOR TEACHERS AND STATE EMPLOYEES; SOCIAL SECURITY; HEALTH INSURANCE [G.S. 135] (continued)**

- S 1450 State Retirement Age and Service Change  
(Pensions & Retirement and Aging Com) .....107.
- S 1265 Treatment of Autism Disorders  
(Health Care Com) .....58.

**RICHMOND COUNTY—District 25—Senator William R. Purcell**

- H 1716 Allow Hamlet to Operate Motorized All-Terrain Vehicles  
(S.L. 2010-19.) ..... 171, 206, 226, 234,  
251.

**RIVERS, CREEKS AND COASTAL WATERS [G.S. 77]**

- H 1766 Amend Environmental Laws 2010  
(S.L. 2010-180.) .....396, 405, 427, 429,  
432, 476, 485, 502,  
504, 625.
- H 1765 Water Quality/Interbasin Transfer Laws Amended  
(S.L. 2010-155.) .....324, 355, 356, 381,  
389, 441, 491, 494,  
495, 552, 612, 629.

**ROADS AND HIGHWAYS [G.S. 136]**

- H 1766 Amend Environmental Laws 2010  
(S.L. 2010-180.) .....396, 405, 427, 429,  
432, 476, 485, 502,  
504, 625.
- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- S 1242 Clarifying Changes to General Statutes  
(S.L. 2010-97.) .....54, 178, 186, 518,  
525, 606, 607, 628.
- H 1734 Department of Transportation Powers and Duties Changes  
(S.L. 2010-165.) ..... 171, 218, 219, 247,  
271, 403.
- S 1159 DOT Powers and Duties Changes  
(Transportation Com) .....31.
- S 1129 Gap Funding for Cape Fear Skyway Bridge  
(Appropriations/Base Budget Com) .....22.
- S 1206 Gap Funding for Cape Fear Skyway Bridge  
(Appropriations/Base Budget Com) .....45.
- S 1344 Governor's Budget  
(Appropriations/Base Budget Com) .....75.

**ROADS AND HIGHWAYS [G.S. 136] (continued)**

S 595	Pedestrian Safety Improvements (S.L. 2010-37.) .....	198, 218, 248, 250, 333.
S 1213	State Purchases and Contracts Laws Amended (S.L. 2010-194.) (Inc. S.L. 2010-31.) .....	46, 181, 191, 227, 233, 268, 467.
S 1131	Turnpike Authority Toll Enforcement Changes (Finance Com) .....	22.
H 1685	Turnpike Authority Toll Enforcement Changes (S.L. 2010-133.) .....	291, 324, 340, 468.

**ROBESON COUNTY—District 13—Senator Michael P. Walters**

S 1208	13th Senatorial District Local Act-2 (Rules and Operations of the Senate Com) .....	45.
S 1298	Various Local Occupancy Taxes (S.L. 2010-78.) .....	65, 124, 135, 142, 364, 378, 407, 469, 508.

**ROCKINGHAM COUNTY—District 26—Senator Philip E. Berger**

S 1447	Rockingham/Hunting on Private Land (Finance Com) .....	107.
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**ROUZER, SENATOR DAVID ..... 12th District—Johnston, Wayne (part).**

Absent of Leave .....	189, 330.
Adjournment Motion .....	329.
Adjournment Motion—Second .....	112.
Journal Approval .....	112.
Bills and Resolutions—(Senate Bills)	
Primary Sponsor .....	None.
Co-Sponsor .....	1134, 1136, 1155, 1156, 1157, 1178, 1349, 1366, 1386, 1445.

**ROWAN COUNTY—District 34—Senator Andrew C. Brock**

S 1443	Kannapolis Subdivision Ordinances (State & Local Government Com) .....	106.
S 1444	Kannapolis/Concord Doughnut Hole Annexations (S.L. 2010-86.) .....	106, 182, 192, 198, 416, 475, 551, 627, 630.

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

Absent of Leave .....	169, 249, 608 (portion)
Adjournment Motion—Second .....	248.

**RUCHO, SENATOR ROBERT (continued)**

Committee Assignments—

Conference .....179.

Bills and Resolutions—(Senate Bills)

Primary Sponsor ..... 1136, 1295.

Co-Sponsor ..... 1124, 1134, 1335, 1336, 1347, 1349, 1366, 1386.

**RUTHERFORD COUNTY—District 46—Senator Debbie A. Clary**

S 1420 Forest City/Convey Property

(State & Local Government Com).....94.

S 1421 Forest City/Convey Property

(S.L. 2010-54.) .....95, 147, 158, 332,  
374.

S 1238 Rutherford County Coroner

(H Rules, Calendar, and Operations of the  
House Com).....51, 83, 102.

H 2056 Rutherford County Coroner

(S.L. 2010-48.) .....212, 270, 298, 310,  
334.

S 1423 State Health Plan/Local Government Retiree Contribution

(Pensions & Retirement and Aging Com) .....95.

H 2055 State Health Plan/Local Government Retiree Contributions

(Pensions & Retirement and Aging Com) .....324.

**SALARIES, FEES AND ALLOWANCES [G.S. 138]**

S 1450 State Retirement Age and Service Change

(Pensions & Retirement and Aging Com) .....107.

**SAMPSON COUNTY—District 10—Senator Charles W. Albertson**

**SANITARIANS AND WATER AND WASTEWATER TREATMENT  
FACILITY OPERATORS [G.S. 90A]**

S 897 Appropriations Act of 2010

(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.

**SAVINGS AND LOAN ASSOCIATIONS [G.S. 54B]**

S 1180 Implement Gender Neutral Terms

(Judiciary II Com) .....36.

**SAVINGS BANKS [G.S. 54C]**

S 1180 Implement Gender Neutral Terms

(Judiciary II Com) .....36.

**SCHOOL BUSES**

- S 12 Ban Mobile Phone Use While Driving  
(Appropriations/Base Budget Com) .....327.
- S 1377 School Bus Railroad Crossing Exception  
(Education/Higher Education Com) .....88.

**SCOTLAND COUNTY**—District 25—Senator William R. Purcell

**SENATE STAFF** .....723.

**SERGEANT-AT-ARMS** (Cecil Goins).

**SETOFF DEBT COLLECTION ACT [G.S. 105A]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- S 1188 Improve Tax and Debt Collection Process  
(Finance Com).....37, 42.

**SEX OFFENSES**

- S 1422 Sex Offender Registry/Name Changes  
(Judiciary I Com).....95.

**SHAW, SENATOR LARRY** .....**21st District—Cumberland** (part).

- Absent of Leave .....86 (portion), 146, 180, 205, 216,  
249, 289, 336 (portion), 370.
- Adjournment Motion—Second.....216.
- Committee Assignments—  
Conference .....145.
- Escorts—  
The Honorable Margaret H. Dickson .....7.
- Paired Votes—  
S 897 Appropriations Act of 2010.....273, 294.
- Bills and Resolutions—(Senate Bills).  
Primary Sponsor ..... 1303, 1354.  
Co-Sponsor ..... 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332,  
1333.

**SHERIFF [G.S. 162]**

- H 1766 Amend Environmental Laws 2010  
(S.L. 2010-180.) .....396, 405, 427, 429,  
432, 476, 485, 502,  
504, 625.

**SHERIFF [G.S. 162]** (continued)

S 1242 Clarifying Changes to General Statutes (S.L. 2010-97.) .....	54, 178, 186, 518, 525, 606, 607, 628.
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**SNOW, SENATOR JOHN J., JR.**.....**50th District—Cherokee, Clay,  
Graham, Haywood (part),  
Jackson, Macon, Swain,  
Transylvania.**

Absent of Leave .....	52.
Committee Assignments—	
Conference .....	145, 204, 214, 484.
Escorts—	
The Honorable Michael P. Walters.....	5.
Paired Votes—	
S 704 Reform Low-Performing Schools .....	110.
S 897 Appropriations Act of 2010.....	52, 53.
Bills and Resolutions—(Senate Bills).	
Primary Sponsor .....	1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1358, 1359, 1415, 1436, 1437.
Co-Sponsor .....	1150, 1156, 1177, 1178, 1189, 1190, 1191, 1192, 1193, 1194, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1211, 1240, 1241, 1242, 1243, 1246, 1247, 1248, 1249, 1250, 1265, 1266, 1267, 1268, 1284, 1285, 1286, 1287, 1288, 1289, 1298, 1333, 1351, 1440, 1441, 1442.

**SOCIAL SERVICES [G.S. 108A]**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 1320 Establish Medicaid Appeals Process (Judiciary I Com).....	69.
S 1344 Governor's Budget (Appropriations/Base Budget Com) .....	75.
H 382 Health Choice Program Review Process (S.L. 2010-70.) .....	162, 163, 173, 358, 474.
S 1193 Implement Long-Term Care Partnership Program (S.L. 2010-68.) .....	38, 133, 142, 254, 272, 291, 473.
S 675 Prohibit Medicaid Fraud/Kickbacks (S.L. 2010-185.) .....	368, 376, 411, 417.

**SOCIAL SERVICES [G.S. 108A]** (continued)

S 1213 State Purchases and Contracts Laws Amended  
 (S.L. 2010-194.)  
 (Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
 233, 268, 467.

**SOIL SCIENTIST LICENSING ACT [G.S. 89F]**

S 1213 State Purchases and Contracts Laws Amended  
 (S.L. 2010-194.)  
 (Inc. S.L. 2010-31.) .....46, 181, 191, 227,  
 233, 268, 467.

**SOLES, SENATOR R. C., JR.**..... **8th District**—Brunswick,  
**Columbus**, Pender.  
 Absent of Leave ..... 17, 24, 76, 100, 613 (portion).  
 Adjournment Motion—Second.....195.  
 Committee Assignments—  
     Conference ..... 145, 280, 495.  
     Standing/Select.....374.  
 Escorts—  
     The Honorable Michael P. Walters.....5.  
 Paired Votes—  
     S 704 Reform Low-Performing Schools .....110.  
 Remarks Spread—  
     H 2074 Honoring Patrick Taylor, Sr./Patrick Taylor, Jr. ....203.  
 Bills and Resolutions—(Senate Bills).  
     Primary Sponsor ..... 1123, 1300, 1301, 1302, 1340, 1341, 1352, 1408,  
         1409.  
     Co-Sponsor ..... 1211, 1453.

**STANLY COUNTY**—District 25—Senator William R. Purcell

H 1736 Local Delinquent Sewer Fees  
 (S.L. 2010-59.) ..... 171, 266, 272, 316,  
 338, 373, 405.

**STATE BUDGET**

S 897 Appropriations Act of 2010  
 (S.L. 2010-31.) .....41, 43, 44, 52, 140,  
 141, 144, 150, 258,  
 273, 290, 294, 299,  
 311.  
 S 1202 Budget Technical Corrections  
 (S.L. 2010-123.)  
 (Inc. S.L. 2010-31.) .....40, 184, 194, 606,  
 608, 611, 615, 628.

**STATE BUDGET (continued)**

S 1181	Modify Appropriations Act of 2009 (Appropriations/Base Budget Com) .....	36.
S 1274	Modify Appropriations Act of 2009 (Appropriations/Base Budget Com) .....	60.

**STATE BUDGET ACT [G.S. 143C]**

S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
S 716	Ethics and Government Reform Changes 2010 (Rules and Operations of the Senate Com).....	368, 376.
S 1165	General Statutes Commission Technical Corrections (S.L. 2010-96.) .....	33, 327, 339, 605, 606, 628.
H 1740	General Statutes Commission Technical Corrections (Judiciary II Com) .....	431.
S 1344	Governor's Budget (Appropriations/Base Budget Com) .....	75.
S 1343	Modify Appropriations Act of 2009 (Appropriations/Base Budget Com) .....	74.
S 1368	Modify Appropriations Act of 2009 (Appropriations/Base Budget Com) .....	87.
S 1307	Modify MHDDSAS Reporting Requirements (H Mental Health Reform Com).....	66, 97, 104.
S 1218	Non Profit Grants/Increase Accountability (Appropriations/Base Budget Com) .....	47.
S 1450	State Retirement Age and Service Change (Pensions & Retirement and Aging Com) .....	107.

**STATE DEPARTMENTS, INSTITUTIONS, AND COMMISSIONS****[G.S. 143]**

S 1167	Amend Environmental Laws 2010 (Agriculture/Environment/Natural Resources Com) .....	33.
H 1766	Amend Environmental Laws 2010 (S.L. 2010-180.) .....	396, 405, 427, 429, 432, 476, 485, 502, 504, 625.
S 1169	Amend Interbasin Transfer Enforcement and Notice (Agriculture/Environment/Natural Resources Com) .....	34.
S 897	Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.



**STATE DEPARTMENTS, INSTITUTIONS, AND COMMISSIONS****[G.S. 143]** (continued)

S 1242	Clarifying Changes to General Statutes (S.L. 2010-97.) .....	54, 178, 186, 518, 525, 606, 607, 628.
S 1204	Commission on Children with Special Needs-Dentist (Health Care Com) .....	41.
H 1694	Commission on Children with Special Needs-Dentist (S.L. 2010-12.) .....	117, 154, 168, 169, 235.
H 1802	Environment and Natural Resources Reports Consolidated/Technical Corrections 2010 (S.L. 2010-142.) .....	256, 323, 324, 343, 359, 469.
S 1163	Environment and Natural Resources Reports Consolidation 2010 (Agriculture/Environment/Natural Resources Com) .....	33.
S 1162	Environmental Technical Corrections 2010 (Agriculture/Environment/Natural Resources Com) .....	32.
H 1801	Environmental Technical Corrections 2010 (Rules and Operations of the Senate Com).....	255.
H 961	Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.
S 1344	Governor's Budget (Appropriations/Base Budget Com) .....	75.
S 1015	Homeowner and Homebuyer Protection Act (S.L. 2010-164.) .....	367, 384, 399.
S 1180	Implement Gender Neutral Terms (Judiciary II Com) .....	36.
S 1170	Improve River Basin Modeling (Agriculture/Environment/Natural Resources Com) .....	34.
H 1743	Improve River Basin Modeling (S.L. 2010-143.) .....	172, 276, 301, 319, 418.
S 836	Oil Spill Liability, Response, and Preparedness (S.L. 2010-179.) .....	253, 266, 416, 424, 426, 470.
S 1384	Remove Damage Cap/Review Offshore Oil Spills (Appropriations/Base Budget Com) .....	89.
H 1829	Renewable Energy Incentives (S.L. 2010-167.) (Inc. S.L. 2010-31.) .....	165, 275, 276, 298, 314, 315, 421, 439, 443, 479, 604, 627.

**STATE DEPARTMENTS, INSTITUTIONS, AND COMMISSIONS****[G.S. 143]** (continued)

H 2054 Retirement Technical Corrections (S.L. 2010-72.) .....	179, 220, 247, 251, 474.
S 1213 State Purchases and Contracts Laws Amended (S.L. 2010-194.) (Inc. S.L. 2010-31.) .....	46, 181, 191, 227, 233, 268, 467.
S 1450 State Retirement Age and Service Change (Pensions & Retirement and Aging Com) .....	107.
S 1337 Underground Storage Tanks Operator Training Program (S.L. 2010-154.) .....	72, 122, 129, 138, 328, 346, 373.
H 1292 University Energy Savings/LEA Operational Leases (S.L. 2010-196.) .....	10, 293, 317, 471.
S 1292 Water Supply System Capacity Planning (H Water Resources and Infrastructure Com) .....	63, 121, 128.
H 1747 Water Supply System Capacity Planning (S.L. 2010-150.) .....	197, 263, 302, 309.
H 2059 Winston-Salem/Informal Bids Electronically (State & Local Government Com).....	365.

**STATE EMBLEMS [G.S. 145]**

H 1251 Colonial Spanish Mustang as State Horse (S.L. 2010-6.) .....	85, 104, 132, 149.
H 76 Honor Wishes of Members of Military/Remains (S.L. 2010-191.) .....	218, 245, 270, 272, 400.

**STATE EMPLOYEES**

S 897 Appropriations Act of 2010 (S.L. 2010-31.) .....	41, 43, 44, 52, 140, 141, 144, 150, 258, 273, 290, 294, 299, 311.
H 961 Government Ethics and Campaign Reform Act of 2010 (S.L. 2010-169.) (Inc. S.L. 2010-31.) .....	208, 215, 227, 329, 340, 358, 359, 362, 536, 609, 615, 629.
S 1433 Open State Employee Personnel Files (Judiciary I Com).....	96.
H 1998 Reciprocity for Optional Retirement Program Service (S.L. 2010-38.) .....	183, 220, 247, 251, 333.

**STATE EMPLOYEES (continued)**

- S 1450 State Retirement Age and Service Change  
(Pensions & Retirement and Aging Com) .....107.
- H 213 Voluntary Shared Leave Nonfamily Sick Leave Donations  
(S.L. 2010-139.) .....200, 293, 317, 402.

**STATE FLAG, MOTTO AND COLORS [G.S. 144]**

- S 866 Retiring of State Flags  
(S.L. 2010-189.) .....212, 262, 303, 308.

**STATE GOVERNMENT ETHICS ACT [G.S. 138A]**

- H 748 Citizens United Response  
(S.L. 2010-170.) .....395, 408, 438, 477,  
487, 522, 628.
- S 1255 Clarify Indirect Gift Analysis  
(Judiciary I Com).....57.
- S 716 Ethics and Government Reform Changes 2010  
(Rules and Operations of the Senate Com).....368, 376.
- S 1239 Ethics Technical Changes and Other Changes  
(Judiciary I Com).....53.
- H 961 Government Ethics and Campaign Reform Act of 2010  
(S.L. 2010-169.)  
(Inc. S.L. 2010-31.) .....208, 215, 227, 329,  
340, 358, 359, 362,  
536, 609, 615, 629.

**STATE HEALTH PLAN**

- S 1256 Brevard Academy/Retirement Election  
(S.L. 2010-137.) .....57, 181, 191, 245,  
269, 300, 305, 316,  
319, 336, 475, 479,  
507.
- H 589 Insurance and State Health Plan Cover/Hearing Aids/Autism  
(S.L. 2010-2.) .....77, 78, 86, 100,  
139.
- H 1707 State Health Plan/Age-Out Dependents; Tobacco Use Testing  
(S.L. 2010-3.) .....98, 114, 122, 129,  
131, 149.
- S 1392 State Health Plan/Court-Ordered Guardianships  
(S.L. 2010-120.) .....90, 220, 245, 417.
- S 1251 State Health Plan/Treat Teachers Equitably  
(S.L. 2010-136.) .....56, 182, 195, 367,  
378, 412, 423, 442,  
478, 480, 483, 485,  
507.

**STATE HEALTH PLAN (continued)**

- S 1265 Treatment of Autism Disorders  
(Health Care Com) .....58.

**STATE OFFICERS [G.S. 147]**

- S 897 Appropriations Act of 2010  
(S.L. 2010-31.) .....41, 43, 44, 52, 140,  
141, 144, 150, 258,  
273, 290, 294, 299,  
311.
- S 887 Electronics Recycling Law Amended  
(S.L. 2010-67.) .....265, 304, 308, 473.
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