

JOURNAL
OF THE
SENATE
OF THE
2015 GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA
SECOND SESSION
2016

**OFFICERS AND MEMBERS
OF
THE SENATE OF THE NORTH CAROLINA
2015 GENERAL ASSEMBLY
SECOND SESSION 2016**

SENATE LEADERSHIP

DANIEL J. FOREST, President Raleigh
 PHILIP E. BERGER, President *Pro Tempore* Eden
 LOUIS M. PATE, JR., Deputy President *Pro Tempore*..... Mount Olive

DISTRICT	NAME OF SENATOR	RESIDENCE
1	WILLIAM COOK (R).....	Chocowinity
2	NORMAN W. SANDERSON (R).....	Arapahoe
3	ERICA SMITH-INGRAM (D).....	Gaston
4	ANGELA R. BRYANT (D).....	Rocky Mount
5	DONALD G. DAVIS (D).....	Snow Hill
6	HARRY BROWN (R).....	Jacksonville
7	LOUIS M. PATE, JR. (R).....	Mount Olive
8	WILLIAM P. RABON (R).....	Southport
9	MICHAEL V. LEE (R).....	Wilmington
10	BRENT JACKSON (R).....	Autryville
11	E. S. "BUCK" NEWTON III (R).....	Wilson
12	RONALD J. RABIN (R).....	Spring Lake
13	JANE W. SMITH (D).....	Lumberton
14	DANIEL T. BLUE, JR. (D).....	Raleigh
15	JOHN M. ALEXANDER, JR. (R).....	Raleigh
16	JAY J. CHAUDHURI* (D).....	Raleigh
17	TAMARA BARRINGER (R).....	Cary
18	J. CHADWICK BAREFOOT (R).....	Wake Forest
19	WESLEY A. MEREDITH (R).....	Fayetteville
20	FLOYD B. MCKISSICK, JR. (D).....	Durham
21	ROBERT B. CLARK III (D).....	Raeford
22	J. MICHAEL WOODARD (D).....	Durham
23	VALERIE P. FOUSHEE (D).....	Hillsborough
24	RICHARD W. GUNN (R).....	Burlington
25	TOM MCINNIS (R).....	Ellerbe

26	PHILIP E. BERGER (R).....	Eden
27	TRUDY WADE (R).....	Greensboro
28	GLADYS A. ROBINSON (D).....	Greensboro
29	JERRY W. TILLMAN (R).....	Archdale
30	SHIRLEY B. RANDLEMAN (R).....	Wilkesboro
31	JOYCE KRAWIEC (R)	Kernersville
32	PAUL A. LOWE, JR. (D)	Winston-Salem
33	STAN BINGHAM (R).....	Denton
34	ANDREW C. BROCK (R).....	Mocksville
35	W. THOMAS TUCKER (R).....	Waxhaw
36	FLETCHER L. HARTSELL, JR. (R)	Concord
37	JEFF JACKSON (D)	Charlotte
38	JOEL D. M. FORD (D).....	Charlotte
39	ROBERT A. RUCHO (R).....	Matthews
40	JOYCE WADDELL (D)	Charlotte
41	JEFFERY P. TARTE (R).....	Cornelius
42	ANDREW WELLS (R).....	Hickory
43	KATHY HARRINGTON (R)	Gastonia
44	DAVID L. CURTIS (R).....	Lincolnton
45	DANIEL F. SOUCEK [†] (R)	Boone
45	DEANNA BALLARD [‡] (R)	Blowing Rock
46	WARREN T. DANIEL (R).....	Morganton
47	RALPH E. HISE, JR. (R).....	Spruce Pine
48	THOMAS M. APODACA (R).....	Hendersonville
49	TERRY VAN DUYN (D)	Asheville
50	JAMES W. DAVIS (R).....	Franklin

SENATE OFFICERS

SARAH LANG, Principal Clerk	Raleigh
LEE SETTLE, Reading Clerk	Pinehurst
PHILIP KING, Sergeant-at-Arms	Southport

* Appointed April 19, 2016

‡ Appointed April 26, 2016

† Resigned April 8, 2016

SENATE JOURNAL

SECOND SESSION

2016

ONE HUNDRED THIRTY-EIGHTH DAY

Senate Chamber
Monday, April 25, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, thank you for bringing us here tonight to this special ground. Thank you for gathering us under your wing. We drew courage from years past, and we are thankful that we can stand upon your solid rock again today. Lord, make us aware of our need for your grace, for none of us measure up to your perfect law. Help us to speak like those who strive to please God rather than men. Be with us, Lord, set us free to serve the people of this state, and give us good courage to know that when we fail and when we fall short, your grace is sufficient in our weakness. In Jesus’ 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 Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, September 30, 2015, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair extends privileges of the floor to Mary Graff from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

APPOINTMENT OF AN ESCORT COMMITTEE

The President recognizes Senator Berger, who announces Senator Blue, Chair; Senator Van Duyn, Senator Lowe, Senator Barringer, and Senator Barefoot as an escort committee for the seating of a new member.

The President orders the Sergeant-at-Arms to open the chamber doors and directs the escort committee to lead The Honorable Jay J. Chaudhuri to the well of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the Proclamation from the Governor appointing Jay J. Chaudhuri as follows:

THE APPOINTMENT OF JAY JYOTI CHAUDHURI

2015-2016

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Josh Stein, elected Senator from Senate District Sixteen for the 2015-2016 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Josh Stein be filled by appointment of the person recommended by eligible members of the Wake County Democratic Party Executive Committee; and

WHEREAS, the Wake County Democratic Party Executive Committee has notified me of its recommendation of Jay Jyoti Chaudhuri of Wake County, North Carolina, to fill the unexpired term;

I do, by these presents, appoint

JAY JYOTI CHAUDHURI

as a member of the

NORTH CAROLINA SENATE

2015-2016 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 nineteenth day of April in the year of our Lord two thousand sixteen.

S/ Pat McCrory
Governor

(SEAL)

ATTEST:
S/ Elaine F. Marshall
Secretary of State

April 25, 2016

Senator Chaudhuri was administered the Oath of Office on April 25, 2016. He is escorted to seat number 41, and the House of Representatives is notified.

SENATE PAGES

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

Lauren Bush, Cornelius; Kennedy Byrd, Cary; Anna Capps, Whiteville; Brianna Dunlap, Charlotte; Cameron Fisher, Raleigh; Austin Flores, Apex; Kenden Godwin, Newton Grove; Althea Hamilton, Asheville; Josephine Hill, Durham; Nicholas Jones, Dunn; Laken Knowles, Clinton; Sam Legrand, Pittsboro; Mikayla McDaniel, Chapel Hill; Arvind Rajan, Raleigh; Watson Reyes, Magnolia; Kamal Sharpe, Gastonia; Luke Smith, Angier; and Ashanti Williams, Winston-Salem.

Upon motion of Senator Apodaca, seconded by Senator Chaudhuri, the Senate adjourns at 7:21 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, to reconvene Tuesday, April 26, at 9:15 a.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
April 25, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on April 13, 2016, Christopher Sgro has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Sgro has been seated to fill the vacancy created by the death of Representative Ralph C. Johnson from the 58th District.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

April 25, 2016

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCRORY
GOVERNOR

April 22, 2016

The Honorable Phil Berger
President Pro Tempore
2007 Legislative Building
Raleigh, North Carolina 27601-1096

Dear Senator Berger:

Pursuant to North Carolina General Statute § 143B-926, I am pleased to nominate Mr. Robert Schurmeier, Jr. to serve as the Director of the North Carolina State Bureau of Investigation. Mr. Schurmeier is a law enforcement veteran with nearly 30 years of experience.

Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Ms. Sarah Lang
Ms. Denise Weeks

The message is referred to the **Select Committee on Nominations**.

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCRORY
GOVERNOR

April 15, 2016

Denise Weeks
Principal Clerk of the House
North Carolina House of Representatives
Legislative Building, Room 2320 LB
Raleigh, NC 27603-5925

April 25, 2016

Sarah Lang
Principal Clerk of the Senate
North Carolina Senate
Legislative Building, Room 2020 LB
Raleigh, NC 27603-5925

Dear Ms. Weeks & Ms. Lang:

This is written to comply with section 1 and section 2 of Executive Order Number 107 signed by Governor Hunt on February 20, 1997.

This shall serve as my official designation of Room 1039 within the Department of Administration Building as the "Office of the Legislative Council" under provision of Section 1.

I hereby designate the following employees of the Governor's Office as the officials to whom delivery of bills can be made under the provisions of Section 2.

-Fred Steen
-Leah Burns
-Chris Jones

Fred Steen and Leah Burns shall serve as the designated liaisons to lobby on behalf of this office. Mr. Steen's office is located in room 1038 of the Administration Building and his phone number is (919) 814-2030. Ms. Burns' office is located in room 1030 of the Administration Building and her phone number is (919) 814-2049.

Sincerely,
S/ Governor Pat McCrory

cc: The Honorable Phil Berger
The Honorable Tim Moore
The Honorable Dan Forest

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCRORY
GOVERNOR

April 25, 2016

February 25, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

Pursuant to North Carolina General Statute §97-77, I am pleased to nominate the following individuals to serve as members of the North Carolina Industrial Commission for confirmation by the General Assembly.

- **William G. Daughtridge, Jr.** Secretary Daughtridge took his seat on the Commission as an interim appointee on February 18, 2016 pending confirmation by the General Assembly. He is filling the unexpired term of Andrew Heath. Prior to his appointment Mr. Daughtridge served as the Secretary of Department of Administration. His term will end April 30, 2019 and will serve as a representative of employers.
- **Linda Cheatham.** This will be a reappointment for Commissioner Cheatham. She has served as a member of the North Carolina Industrial Commission since July 2010. Her term will end on June 30, 2022 and will serve as a representative of employers.
- **Christopher C. Loutit.** Mr. Loutit is currently serving as the Chief Deputy Commissioner for the North Carolina Industrial Commission. He was nominated on February 27, 2015 for a full term pending confirmation by the General Assembly. His term will end April 30, 2021 and will serve as a representative of employees.

These three individuals bring distinguished careers to the Industrial Commission and with their vast knowledge and skills will provide exceptional service to the State of North Carolina. I urge their confirmation at the earliest possible time.

Included you will find biographical information on each nominee. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Sarah Lang

The message is referred to the **Select Committee on Nominations.**

April 25, 2016

RESOLUTION HELD AS FILED

S.J.R. 722 is ordered held as filed in the Senate Principal Clerk's Office.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

S.B. 371 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINER THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES, having been placed on the calendar of Thursday, October 1, 2015.

The House Committee Substitute bill is withdrawn from the calendar of Thursday, October 1, 2015, and re-referred to the **Rules and Operations of the Senate Committee**.

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED THIRTY-NINTH DAY

Senate Chamber
Tuesday, April 26, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

April 26, 2016

“Lord, fasten us to the tree of your grace. Strengthen us by your hand—your presence. Give us patience with one another as we walk together towards a brighter horizon for all of our fellow citizens in North Carolina. It is in Jesus’ name we pray. Amen.”

Senator Tucker announces that the Senate Journal of Monday, April 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair extends privileges of the floor to Dr. Ann Mabe Newman from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.

CHANGE TO A 2015-2016 SENATE COMMITTEE

Pursuant to Rule 31, Senator Pate, Deputy President *Pro Tempore*, announces that Senator Berger, President *Pro Tempore*, has appointed Senator Meredith to the **Finance Committee**.

Upon motion of Senator Pate, seconded by Senator Barefoot, the Senate adjourns at 9:21 a.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of committee reports, to reconvene Wednesday, April 27, 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 B. Jackson:

S.R. 746, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE.

Referred to the **Select Committee on Nominations**.

By Senator Apodaca:

S.J.R. 749, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LYONS GRAY TO THE UTILITIES COMMISSION.

Referred to the **Select Committee on Nominations**.

By Senator Apodaca:

S.J.R. 750, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHRISTOPHER LOUITIT TO THE NORTH CAROLINA INDUSTRIAL COMMISSION.

Referred to the **Select Committee on Nominations**.

April 26, 2016

By Senator Rucho:

S.B. 725, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.

Referred to the **Finance Committee**.

By Senators Rucho, Rabon, and Tillman (Primary Sponsors):

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015.

Referred to the **Finance Committee**.

By Senators Rucho, Rabon, and Tillman (Primary Sponsors):

S.B. 729, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS.

Referred to the **Finance Committee**.

By Senators Harrington, Rabon (Primary Sponsors) and Daniel:

S.B. 723, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

By Senators Harrington (Primary Sponsor); Barefoot and Ford:

S.B. 724, A BILL TO BE ENTITLED AN ACT TO INCREASE LEGISLATIVE OVERSIGHT OF CERTAIN LEASES; TO ENSURE THAT ESTIMATES OF OPERATING AND MAINTENANCE COSTS ARE CENTRAL TO THE STATE CAPITAL PROJECT PLANNING PROCESS; TO REQUIRE A PRELIMINARY SIX-YEAR CAPITAL IMPROVEMENTS PLAN; AND TO REQUIRE GREATER OVERSIGHT OF CAPITAL IMPROVEMENT NEEDS CRITERIA; AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON CAPITAL IMPROVEMENTS.

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

By Senator Tillman:

S.B. 727, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

April 26, 2016

By Senators Smith (Primary Sponsor); Waddell and Woodard:

S.B. 730, A BILL TO BE ENTITLED AN ACT TO INCREASE ACCESS TO SPAY AND NEUTER SERVICES FOR LOW-INCOME NORTH CAROLINIANS.

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

By Senators Smith (Primary Sponsor); Foushee, Lowe, Waddell and Woodard:

S.B. 731, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS TO RESTORE FUNDING TO DRUG TREATMENT COURTS ACROSS THE STATE.

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

By Senator Smith:

S.B. 732, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO ALLOW THE LUMBERTON FIREFIGHTERS RELIEF FUND BOARD TO ESTABLISH A SUPPLEMENTAL RETIREMENT PLAN FROM THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION.

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

By Senator Smith:

S.B. 733, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PROCTORVILLE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senators Pate, Tucker, Robinson (Primary Sponsors) and J. Davis:

S.B. 734, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee** and upon a favorable report will be re-referred to the **Judiciary I Committee**.

By Senators Pate and Robinson (Primary Sponsors):

S.B. 735, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT THE PROJECT CAREGIVER ALTERNATIVES TO RUNNING ON EMPTY PROGRAM AND THE NO WRONG DOOR TO ACCESSING BENEFITS INITIATIVE AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE AND REPORT ON

POSSIBLE EXPANSION OF NORTH CAROLINA'S MEDICAID HOME AND COMMUNITY BASED SERVICES WAIVER PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

By Senators Pate, Robinson (Primary Sponsors) and Waddell:

S.B. 736, A BILL TO BE ENTITLED AN ACT DIRECTING THE APPOINTMENT OF A SUBCOMMITTEE TO STUDY SUICIDE PREVENTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senator Barefoot:

S.B. 737, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM OVERSIGHT COMMITTEE, AS RECOMMENDED BY THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM OVERSIGHT COMMITTEE.

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

By Senators Barefoot (Primary Sponsor) and Daniel:

S.B. 738, A BILL TO BE ENTITLED AN ACT TO STUDY APPRENTICESHIP INCENTIVES, AS RECOMMENDED BY THE JOINT LEGISLATIVE WORKFORCE DEVELOPMENT SYSTEM REFORM OVERSIGHT COMMITTEE.

Referred to the **Commerce Committee** and upon a favorable report will be re-referred to the **Rules and Operations of the Senate Committee**.

By Senator Barefoot:

S.B. 739, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senators Barefoot, Pate, Hise (Primary Sponsors); J. Jackson and Waddell:

S.B. 740, A BILL TO BE ENTITLED AN ACT TO DIRECT CERTAIN STATE AGENCIES TO COLLABORATE ON AN ONGOING BASIS IN AN INITIATIVE TO DEVELOP AND IMPLEMENT A STATEWIDE VISION FOR EARLY CHILDHOOD EDUCATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Education/Higher Education Committee** and upon a favorable report will be re-referred to the **Health Care Committee**.

April 26, 2016

By Senator J. Davis:

S.B. 741, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Judiciary II Committee**.

By Senators J. Davis (Primary Sponsor) and Waddell:

S.B. 742, A BILL TO BE ENTITLED AN ACT TO ADD CHILDREN OF MILITARY FAMILIES AS AN ELIGIBILITY CATEGORY FOR THE OPPORTUNITY SCHOLARSHIP GRANT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

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

By Senator Hartsell:

S.B. 743, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY CERTAIN ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

By Senator Hartsell:

S.B. 744, A BILL TO BE ENTITLED AN ACT TO REQUIRE OCCUPATIONAL LICENSING BOARDS TO PROVIDE AND UPDATE CONTACT INFORMATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

By Senators Smith, Foushee, Robinson (Primary Sponsors) and Waddell:

S.B. 745, A BILL TO BE ENTITLED AN ACT TO REENACT THE TAX DEDUCTION FOR CERTAIN CONTRIBUTIONS TO THE PARENTAL SAVINGS TRUST FUND.

Referred to the **Finance Committee**.

By Senators Gunn, Hartsell, Krawiec (Primary Sponsors) and Waddell:

S.B. 747, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED

FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY.

Referred to the **Finance Committee**.

By Senators Barefoot, Harrington, and Hise (Primary Sponsors):

S.B. 748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING DATE OF THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, AS RECOMMENDED BY THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE.

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

By Senators Lowe and Krawiec (Primary Sponsors):

S.B. 751, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND.

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

By Senator Tillman:

S.B. 728, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE NORTH CAROLINA STATE LOTTERY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON THE STATE LOTTERY.

Referred to the **Finance Committee**.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Select Committee on Nominations**:

H.J.R. 942, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF DR. LINDA MORRISON COMBS TO THE OFFICE OF STATE CONTROLLER, with a favorable report.

S.R. 746, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE, with a favorable report.

April 26, 2016

S.J.R. 749, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LYONS GRAY TO THE UTILITIES COMMISSION, with a favorable report.

S.J.R. 750, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHRISTOPHER LOUITIT TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report.

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

S.B. 725, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, with a favorable report.

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, with a favorable report.

S.B. 729, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS, with a favorable report.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTIETH DAY

Senate Chamber
Wednesday, April 27, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, you are good, you are great, and you have brought us to this task at hand. Thank you for gathering us, from my left to my right. Prepare these servants here. Remind them that you hold them in your hand. Help them. No scheme of man can pluck them from your hands, for you are their solid rock, you are their fortress. May you bring peace to this place, to this family, as we work to solve problems together. It is in Jesus' name that I pray. Amen.”

April 27, 2016

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, April 26, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair extends privileges of the floor to Bobbie Smith from Greensboro, North Carolina, who is serving the Senate as Nurse of the Day.

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

APPOINTMENT OF AN ESCORT COMMITTEE

The President recognizes Senator Berger, who announces Senator Curtis, Chair; Senator Brock, Senator Harrington, Senator D. Davis, and Senator Smith as an escort committee for the seating of a new member.

The President orders the Sergeant-at-Arms to open the chamber doors and directs the escort committee to lead The Honorable Deanna Ballard to the well of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President instructs the Reading Clerk to read the proclamation from the Governor appointing Deanna Ballard as follows:

THE APPOINTMENT OF DEANNA MARIE BALLARD

2015-2016

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, the Honorable Dan Soucek, elected Senator from Senate District Forty-five for the 2015-2016 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute § 163-11 require that the vacancy created by the resignation of the Honorable Dan Soucek be filled by appointment of the person recommended by Senate District Forty-five Executive Committee of the Republican Party; and

WHEREAS, the Executive Committee of the Forty-fifth Senate District Republican Party has notified me of its recommendation of Deanna Marie Ballard of Watauga County, North Carolina, to fill the unexpired term;

April 27, 2016

I do, by these presents, appoint

DEANNA MARIE BALLARD

as a member of the

NORTH CAROLINA SENATE

2015-2016 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 twenty-sixth day of April in the year of our Lord two thousand and sixteen.

S/ Pat McCrory
Governor

(SEAL)

ATTEST:
S/ Elaine F. Marshall
Secretary of State

Senator Ballard was administered the Oath of Office on April 27, 2016. She is escorted to seat number 12, and the House of Representatives is notified.

CALENDAR

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

S.B. 725, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---49.

Voting in the negative: None.

The bill remains on the calendar for Thursday, April 28, upon third reading.

April 27, 2016

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, upon second reading.

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

The bill, as amended, passes its second reading, by roll-call vote, ayes 35, noes 14, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Wells---35.

Voting in the negative: Senators Apodaca, Blue, Bryant, Chaudhuri, D. Davis, Ford, Foushee, Lowe, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---14.

The bill remains on the calendar for Thursday, April 28, upon third reading.

S.B. 729, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---49.

Voting in the negative: None.

The bill remains on the calendar for Thursday, April 28, upon third reading.

S.J.R. 749, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LYONS GRAY TO THE UTILITIES COMMISSION, upon second reading.

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.

S.J.R. 750, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHRISTOPHER LOUTIT TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

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.

April 27, 2016

H.J.R. 942, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF DR. LINDA MORRISON COMBS TO THE OFFICE OF STATE CONTROLLER, upon second reading.

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.R. 746, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE, for adoption.

Upon motion of Senator B. Jackson, the Senate Resolution is adopted (49-0).

Upon motion of Senator Berger, seconded by Senator Tucker, the Senate adjourns at 2:44 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, to reconvene Thursday, April 28, at 11:00 a.m.

INTRODUCTION OF BILLS

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

By Senators Lowe, Smith-Ingram, Foushee (Primary Sponsors); Bryant, Smith, Van Duyn and Waddell:

S.B. 752, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCOME TAX RELIEF FOR SMALL BUSINESSES.

Referred to the **Finance Committee**.

By Senators Lowe, Waddell, Foushee (Primary Sponsors); Bryant, Smith and Van Duyn:

S.B. 753, A BILL TO BE ENTITLED AN ACT TO REENACT THE SALES AND USE TAX HOLIDAY FOR SCHOOL SUPPLIES.

Referred to the **Finance Committee**.

By Senators Bingham (Primary Sponsor); Brock, Cook, B. Jackson and McInnis:

S.B. 754, A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES (1) FOR PERSONS WHO FRAUDULENTLY RECORD LIENS AND (2) FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION.

Referred to the **Judiciary I Committee**.

By Senators Bingham (Primary Sponsor); Bryant, Foushee, Smith and Van Duyn:

S.B. 755, A BILL TO BE ENTITLED AN ACT TO MODIFY THE SALES TAX ON LABOR.

Referred to the **Finance Committee**.

April 27, 2016

By Senator McInnis:

S.B. 756, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CLERK OF SUPERIOR COURT IN RICHMOND COUNTY TO BE ALLOCATED TO THE RICHMOND COUNTY FINANCE OFFICER PURSUANT TO G.S.115C-452, AS ORDERED BY THE COURT IN RICHMOND COUNTY BOARD OF EDUCATION V. COWELL.

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

By Senators Foushee, Lowe, Van Duyn (Primary Sponsors); Bryant, Smith and Waddell:

S.B. 757, A BILL TO BE ENTITLED AN ACT TO REENACT THE EARNED INCOME TAX CREDIT.

Referred to the **Finance Committee**.

By Senators Rucho (Primary Sponsor) and Cook:

S.B. 758, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE INDEPENDENCE AND EFFICIENCY OF THE BOARD OF REVIEW, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Program Evaluation Committee**.

By Senators Bingham (Primary Sponsor); Bryant, Foushee, Smith and Van Duyn:

S.B. 759, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TOBACCO PREVENTION AND CONTROL BRANCH, TO EDUCATE AND INFORM ADULT LEADERS AND YOUTH ABOUT THE DANGERS OF ELECTRONIC CIGARETTES AND OTHER NEW EMERGING TOBACCO PRODUCTS.

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

By Senators Bingham and Wade (Primary Sponsors):

S.B. 760, A BILL TO BE ENTITLED AN ACT TO PROVIDE ENFORCEMENT AUTHORITY ASSOCIATED WITH THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators J. Davis, Rabon (Primary Sponsors) and Smith:

S.B. 761, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FREIGHT RAIL AND RAIL CROSSING SAFETY IMPROVEMENT FUND MAY BE USED TO ASSIST SHORT-LINE RAILROADS.

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

April 27, 2016

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FIRST DAY

Senate Chamber
Thursday, April 28, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Lord, you are our refuge, and you are our strength; you are a very present help in a time of trouble. So, Lord, we ask you to release us from worries and from doubts. Let the river of your peace flow into this public space so that we might all feel your presence. Guide us by your strength, Lord, and guide us today in the work that we have before us. In Jesus' name we pray. Amen."

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, April 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Lee, Senator Meredith, and Senator Wells.

ENROLLED RESOLUTION

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. 942, A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S REAPPOINTMENT OF DR. LINDA MORRISON COMBS TO THE OFFICE OF STATE CONTROLLER. (Res. 2016-3)

CALENDAR

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

S.B. 725, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE, upon third reading.

April 28, 2016

The bill passes its third reading, by roll-call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade and Woodard---46.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, as amended, upon third reading.

The bill, as amended, passes its third reading, by roll-call vote, ayes 32, noes 15, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker and Wade---32.

Voting in the negative: Senators Apodaca, Blue, Bryant, Chaudhuri, D. Davis, Ford, Foushee, Hartsell, Lowe, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---15.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 729, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS, upon third reading.

Senator Rucho offers Amendment No. 1, which is adopted (47-0).

The bill, as amended, passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade and Woodard---47.

Voting in the negative: None.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

The Chair extends privileges of the floor to Wanda Goodwyn from Wake Forest, North Carolina, who is serving the Senate as Nurse of the Day.

April 28, 2016

Upon motion of Senator Pate, seconded by Senator Tillman, the Senate adjourns at 11:20 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, to reconvene Monday, May 2, at 7:00 p.m.

INTRODUCTION OF BILLS

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

By Senator J. Davis:

S.B. 762, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

Referred to the **Transportation Committee**.

By Senators Wade, Brock, B. Jackson (Primary Sponsors) and Rabin:

S.B. 763, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DIRECTOR OF THE DIVISION OF WATER RESOURCES FROM REQUIRING ON-SITE STORMWATER CONTROL MEASURES UNDER CERTAIN CIRCUMSTANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Wade, Brock, and B. Jackson (Primary Sponsors):

S.B. 764, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO STUDY THE REQUIREMENTS FOR INTRABASIN TRANSFERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Wade, Brock, B. Jackson (Primary Sponsors) and Rabin:

S.B. 765, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO COMMENT TO THE UNITED STATES ARMY CORPS OF ENGINEERS ON STREAM MITIGATION REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Wade, Brock, B. Jackson (Primary Sponsors) and Rabin:

S.B. 766, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO STUDY RIPARIAN BUFFER REQUIREMENTS FOR INTERMITTENT STREAMS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Wade, Brock, and B. Jackson (Primary Sponsors):

S.B. 767, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO STUDY WHETHER NUTRIENT MANAGEMENT STRATEGIES ARE EFFECTIVE OR WILL BE EFFECTIVE FOR OVERALL WATER QUALITY MANAGEMENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Wade, Brock, and B. Jackson (Primary Sponsors):

S.B. 768, A BILL TO BE ENTITLED AN ACT TO REPEAL SOLID WASTE PERMITTING REQUIREMENTS FOR YARD WASTE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators B. Jackson, Alexander (Primary Sponsors) and McInnis:

S.B. 769, A BILL TO BE ENTITLED AN ACT TO RENAME AND CLARIFY THE USES OF THE SHALLOW DRAFT NAVIGATION CHANNEL DREDGING AND LAKE MAINTENANCE FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES.

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

By Senators B. Jackson, Brock, Cook (Primary Sponsors) and McInnis:

S.B. 770, A BILL TO BE ENTITLED AN ACT TO PROVIDE ENFORCEMENT AUTHORITY ASSOCIATED WITH THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

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

By Senators B. Jackson, Cook, Wade (Primary Sponsors); McInnis and Rabin:

S.B. 771, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF ALLOWABLE RESEARCH PURPOSES FOR THE INDUSTRIAL HEMP PILOT PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.

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

By Senators Rabon and Meredith (Primary Sponsors):

S.B. 772, A BILL TO BE ENTITLED AN ACT TO NAME THE CAPE FEAR RIVER BRIDGE LOCATED IN THE TOWN OF TAR HEEL IN BLADEN COUNTY THE "DAVID B. MELVIN MEMORIAL BRIDGE."

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

April 28, 2016

By Senators Robinson, Waddell, Foushee (Primary Sponsors); Bryant, Smith and Van Duyn:

S.B. 773, A BILL TO BE ENTITLED AN ACT TO REENACT THE CREDIT FOR CHILD CARE AND CERTAIN EMPLOYMENT-RELATED EXPENSES.

Referred to the **Finance Committee**.

By Senator Tucker:

S.B. 774, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senator Pate:

S.B. 775, A BILL TO BE ENTITLED AN ACT DIRECTING THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, IN COLLABORATION WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO PREPARE PROPOSALS FOR THE DESIGN, IMPLEMENTATION, AND ADMINISTRATION OF A CONTRACTING SPECIALIST TRAINING PROGRAM FOR MANAGEMENT LEVEL PERSONNEL WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

By Senators Brown, Harrington, and B. Jackson (Primary Sponsors):

S.B. 776, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND FOR OTHER PURPOSES.

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

By Senators Wade, Brock, B. Jackson (Primary Sponsors) and Rabin:

S.B. 777, A BILL TO BE ENTITLED AN ACT TO (1) MAKE TECHNICAL, CLARIFYING, AND CONFORMING CHANGES TO PROVISIONS ENACTED IN 2015 TO ESTABLISH LIFE-OF-SITE PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS AND (2) PROVIDE THAT FRANCHISE AGREEMENTS PREVIOUSLY EXECUTED BY LOCAL GOVERNMENTS FOR SANITARY LANDFILLS MAY BE MODIFIED BY AGREEMENT OF ALL PARTIES TO LAST FOR A LANDFILL'S LIFE-OF-SITE, EXCEPT THAT NO FRANCHISE AGREEMENT, MODIFIED OR NEWLY EXECUTED, SHALL EXCEED A DURATION OF SIXTY YEARS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

April 28, 2016

By Senators Wade, Brock, and B. Jackson (Primary Sponsors):

S.B. 778, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FISCAL IMPACT OF SEPA REFORM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Transportation Committee**.

By Senators Wade, Brock, B. Jackson (Primary Sponsors) and Rabin:

S.B. 779, A BILL TO BE ENTITLED AN ACT TO LIMIT ISSUANCE OF HEALTH ADVISORIES FOR DRINKING WATER TO PARAMETERS FOR WHICH MAXIMUM CONTAMINANT LEVELS (MCLS) OR TREATMENT TECHNIQUES (TTS) HAVE BEEN ESTABLISHED BY STATE OR FEDERAL LAW OR FOR WHICH INTERIM MAXIMUM ALLOWABLE CONCENTRATIONS (IMACS) HAVE BEEN ESTABLISHED FOR A PARAMETER IN THE CONTEXT OF A STATE-LED INVESTIGATION OF CONTAMINATION THAT PRESENTS AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY, OR WELFARE OR THE ENVIRONMENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Bingham, Wade (Primary Sponsors) and Rabin:

S.B. 780, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, TO DEVELOP A CHEMICAL ACTION PLAN THAT IDENTIFIES ACTIONS THE STATE MAY TAKE IN ORDER TO REDUCE THE THREATS POSED TO CHILDREN BY TOXIC CHEMICAL FLAME RETARDANTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report will be re-referred to the **Health Care Committee**.

By Senators Hartsell (Primary Sponsor) and Clark:

S.B. 781, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE INDEPENDENCE AND EFFICIENCY OF THE BOARD OF REVIEW, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senator Hartsell:

S.B. 782, A BILL TO BE ENTITLED AN ACT TO CLARIFY SELECTION AND STRENGTHEN THE FUNCTIONING OF EMPLOYEE INSURANCE COMMITTEES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Insurance Committee**.

April 28, 2016

By Senator Hartsell:

S.B. 783, A BILL TO BE ENTITLED AN ACT TO RESPOND TO THE HOLDING IN NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

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

By Senators Van Duyn, J. Jackson, Woodard (Primary Sponsors); Bryant, Chaudhuri, Foushee and Waddell:

S.B. 784, A BILL TO BE ENTITLED AN ACT TO REPEAL HOUSE BILL 2 OF THE 2016 SECOND EXTRA SESSION AND TO APPROPRIATE FUNDS TO THE HUMAN RELATIONS COMMISSION.

Referred to the **Appropriations/Base Budget Committee** and upon a favorable report will be re-referred to the **Ways & Means Committee**.

By Senators Robinson (Primary Sponsor); Bryant, Foushee and Waddell:

S.B. 785, A BILL TO BE ENTITLED AN ACT TO RECOMMEND VARIOUS CHANGES TO THE STATE'S CHILD WELFARE SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-SECOND DAY

Senate Chamber
Monday, May 2, 2016

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

Prayer is offered by The Honorable Jerry W. Tillman, Senator from Randolph County, as follows:

“Thank you, Lord, for the great honor and the great privilege to serve in this chamber. I was talking to some of my dear Senate friends just a few minutes ago, and it's truly, truly a place that you have put us to do your work. We pray that we will do it and do it to the best of our ability, that you will be our guide and our strong hand in all our endeavors, and that they might most of all bring honor and glory to thy name. In Christ's name we pray. Amen.”

May 2, 2016

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, April 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

Upon motion of Senator Pate, seconded by Senator Tillman, the Senate adjourns at 7:09 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, to reconvene Tuesday, May 3, at 2:00 p.m.

INTRODUCTION OF BILLS

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

By Senators Harrington, B. Jackson, and Brown (Primary Sponsors):

S.B. 786, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND FOR OTHER PURPOSES.

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

By Senator Randleman:

S.B. 787, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY.

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

By Senators Randleman, Tucker (Primary Sponsors) and McInnis:

S.B. 788, A BILL TO BE ENTITLED AN ACT TO STUDY OPIOID ABUSE AND HEROIN RESURGENCE IN ADULTS, YOUTH, AND FAMILIES; TO INVESTIGATE THE USE OF VIVITROL AS PART OF THE STATE-FUNDED ALCOHOL AND OPIOID ABUSE TREATMENT SERVICES; AND TO ALLOW REPORTS RECEIVED BY THE COURT ON INCAPACITY TO PROCEED TO BE SHARED WITH TREATMENT PROVIDERS.

Referred to the **Health Care Committee**.

May 2, 2016

By Senators Randleman, Hartsell, and Krawiec (Primary Sponsors):

S.B. 789, A BILL TO BE ENTITLED AN ACT TO ENHANCE OVERSIGHT OF STATE SERVICE CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senator Randleman:

S.B. 790, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS, IN CONJUNCTION WITH THE OFFICE OF INDIGENT DEFENSE SERVICES AND CERTAIN JUDICIAL DISTRICTS, TO DEVELOP AND IMPLEMENT A PILOT PROJECT TO ESTABLISH A UNIFORM FEE SCHEDULE FOR THE PAYMENT OF ATTORNEYS' FEES FOR REPRESENTATION OF INDIGENT PERSONS THAT PROVIDES THE FUNDS NECESSARY TO COVER THE COST OF LEGAL REPRESENTATION FOR INDIGENT PERSONS IN THE JUDICIAL DISTRICTS PARTICIPATING IN THE PILOT PROJECT AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

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

By Senator Tillman:

S.B. 791, A BILL TO BE ENTITLED AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS.

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

By Senators Tarte and Hise (Primary Sponsors):

S.B. 792, A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS.

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

By Senators Wade, Brock, and B. Jackson (Primary Sponsors):

S.B. 793, A BILL TO BE ENTITLED AN ACT TO ELIMINATE, CONSOLIDATE, AND MAKE OTHER CHANGES TO VARIOUS REPORTS TO THE ENVIRONMENTAL REVIEW COMMISSION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

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

By Senators Bingham (Primary Sponsor); J. Davis, Foushee, Tucker, Van Duyn and Waddell:

S.B. 794, A BILL TO BE ENTITLED AN ACT AUTHORIZING GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS AND OFFERING LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.

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

By Senator J. Davis:

S.B. 795, A BILL TO BE ENTITLED AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING.

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

By Senator Pate:

S.B. 796, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE ALLOCATION OF CHILD CARE SUBSIDIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

By Senator Pate:

S.B. 797, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE FEASIBILITY AND DESIRABILITY OF DEVELOPING A STATEWIDE STREAMLINED APPLICATION PROCESS BY WHICH ELIGIBLE FAMILIES MAY APPLY FOR AND OBTAIN AVAILABLE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

May 2, 2016

PAT McCrORY
GOVERNOR

April 28, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

Pursuant to North Carolina General Statute 96-15.3 and North Carolina Session Law 2015-238, I am pleased to nominate Mr. Keith A. Holliday for reappointment as a member of the Board of Review for confirmation by the General Assembly. He will continue to serve as a representative of employers.

Mr. Holliday brings a distinguished career of public service and private sector experience to the Board of Review. He has served admirably since his original appointment in December 2013. Included you will find biographical information and his Statement of Economic Interest for your review.

I urge his confirmation at the earliest possible time.

Sincerely,
S/ Pat McCrory
Governor

cc: Sarah Lang

The message is referred to the **Select Committee on Nominations**.

REFERRAL OF A RESOLUTION

Senator Apodaca orders the referral of a House message as follows:

H.J.R. 982 (Committee Substitute), A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT L. SCHURMEIER, JR., AS DIRECTOR OF THE STATE BUREAU OF INVESTIGATION.

The Committee Substitute Joint Resolution is referred to the **Select Committee on Nominations**.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

May 2, 2016

ONE HUNDRED FORTY-THIRD DAY

Senate Chamber
Tuesday, May 3, 2016

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

Prayer is offered by The Right Reverend Graham Rights of the Southern Province of the Moravian Church, N.A., in Winston-Salem, North Carolina, as follows:

“God of all, we thank you for bestowing upon us gifts which we can exercise to bring about well-being for ourselves and for others. We thank you for those gathered here to serve and seek the well-being of the people of this state. You have shown us, O God, what is good and what is required of us is to ‘do justice, and to love kindness and to walk humbly with our God.’* Lead us to walk humbly with our God that so walking we may love kindness and that so loving we may do justice. In your mercy, hear our prayer. Amen.”

*Micah 6:8

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, May 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

The Chair extends privileges of the floor to Anne Reinert from Bryson City, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 734, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Judiciary I Committee**.

May 3, 2016

SENATE PAGES

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

Carter Brown, Gastonia; Joseph Canney, New Bern; Jonathan Cook, Mocksville; Dymond Covington, Raleigh; Michael Glennon, Willow Spring; Thomas Grubb, Greenville; Caroline Luther, Hendersonville; Everette Malchow, Black Mountain; Fatima Martinez, Durham; Mikayla Medley, Rolesville; Garrett Penley, Mocksville; Jada Peterson, Rocky Mount; Lacey Peterson, Apex; Kenton Shelton, Hope Mills; Zac Taylor, Wilson; Wil Warner IV, Sunset Beach; Kayla Welch, Edenton; Elizabeth White, Deep Gap; and Hannah White, Deep Gap.

SENATORIAL STATEMENTS

Senator Bryant, Senator Smith-Ingram, and Senator Van Duyn submit a Senatorial Statement entitled, **RECOGNIZING ALL TEACHERS ON NATIONAL TEACHER DAY**. The full text can be found in the Appendix. (See pg. 410)

Senator McInnis submits a Senatorial Statement entitled, **RECOGNIZING ANNUAL FORESTRY DAY AT THE LEGISLATURE**. The full text can be found in the Appendix. (See pg. 411)

Upon motion of Senator Pate, seconded by Senator Apodaca, the Senate adjourns at 2:21 p.m., in honor of all the dedicated teachers in North Carolina, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, and the receipt of messages from the House of Representatives, to reconvene Wednesday, May 4, at 2:00 p.m.

INTRODUCTION OF BILLS AND A RESOLUTION

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

By Senators Rabon, Meredith (Primary Sponsors) and Pate:

S.B. 798, A BILL TO BE ENTITLED AN ACT TO ADJUST THE DISTRIBUTION OF THE HIGHWAY USE TAXES COLLECTED ON THE SHORT-TERM LEASE OR RENTAL OF A MOTOR VEHICLE AND TO APPROPRIATE FUNDS ON AN ANNUAL BASIS FROM THE HIGHWAY FUND TO THE NORTH CAROLINA STATE PORTS AUTHORITY AND THE DIVISION OF AVIATION OF THE DEPARTMENT OF TRANSPORTATION.

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

May 3, 2016

By Senators Pate, Robinson (Primary Sponsors) and Waddell:

S.B. 799, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

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

By Senators Pate, Robinson (Primary Sponsors); Van Duyn and Waddell:

S.B. 800, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE COSTS ASSOCIATED WITH SLOTS FOR THE NC PRE-K PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

By Senators Newton, Randleman (Primary Sponsors) and Pate:

S.J.R. 801, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF ROBERT L. SCHURMEIER, JR., AS DIRECTOR OF THE STATE BUREAU OF INVESTIGATION.

Referred to the **Select Committee on Nominations**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.J.R. 977, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY MCGUIRE AS A SPECIAL SUPERIOR COURT JUDGE.

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

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION.

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

H.J.R. 979, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHARLES M. VISER AS A SPECIAL SUPERIOR COURT JUDGE.

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

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION.

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

May 3, 2016

H.J.R. 981, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF MICHAEL ROBINSON AS A SPECIAL SUPERIOR COURT JUDGE.

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

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Select Committee on Nominations**:

H.J.R. 982 (Committee Substitute), A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT L. SCHURMEIER, JR., AS DIRECTOR OF THE STATE BUREAU OF INVESTIGATION, with an unfavorable report as to the Committee Substitute Joint Resolution, but favorable as to the Senate Committee Substitute Joint Resolution.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute Joint Resolution, 40568, is adopted and engrossed.

ADDITIONAL SPONSORS

Senator Cook, Senator Hartsell, and Senator Robinson request to be added as co-sponsors of previously introduced legislation:

S.B. 794, A BILL TO BE ENTITLED AN ACT AUTHORIZING GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS AND OFFERING LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FOURTH DAY

Senate Chamber
Wednesday, May 4, 2016

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

May 4, 2016

Prayer is offered by The Reverend Justin Morgan from Edenton Street United Methodist Church of Raleigh, North Carolina, as follows:

“God of mercy, we recognize this midday moment of rest as a gift from you, and we pause now to give you thanks. Would you guide and bless our senators this afternoon as they work to serve you, your people, and this state so well? Teach us to see every question of policy in light of our faith and in a spirit of wisdom, charity, and justice so that all people might be honored. Finally, God, would you give grace to your servants this day? For it’s in your holy name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bryant, Senator B. Jackson, and Senator Van Duyn.

The Chair extends privileges of the floor to Dr. John L. Burkard, Jr., from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Melissa Watson from Archdale, North Carolina, who is serving the Senate as Nurse of the Day.

A SENATORIAL STATEMENT

Senator Wade submits a Senatorial Statement out of order entitled, **RECOGNIZING THE CONTRIBUTION OF ARSON DOGS AND THEIR HANDLERS AS PART OF NATIONAL ARSON AWARENESS WEEK**. The full text can be found in the Appendix. (See pg. 412)

COURTESIES OF THE FLOOR

The President grants courtesies of the floor to Accelerant Detection Canine team Brian Phillips and K9 Friday, and, upon motion of Senator Apodaca, the team is permitted to provide a demonstration in the well of the Senate.

CALENDAR

A resolution on today's calendar is taken up and disposed of as follows:

H.J.R. 982 (Senate Committee Substitute), A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT L. SCHURMEIER, JR., AS DIRECTOR OF THE STATE BUREAU OF INVESTIGATION, upon second reading.

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The Senate Committee Substitute Joint Resolution 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, by special message, for concurrence in the Senate Committee Substitute Joint Resolution.

Upon motion of Senator Pate, seconded by Senator Blue, the Senate adjourns at 2:23 p.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House of Representatives, to reconvene Thursday, May 5, at 11:00 a.m.

INTRODUCTION OF BILLS

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

By Senators Krawiec (Primary Sponsor); Daniel and Pate:

S.B. 802, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCOME TAX RELIEF FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES WHO ARE NORTH CAROLINA RESIDENTS BUT STATIONED OUTSIDE OF THE STATE.

Referred to the **Finance Committee**.

By Senators Wade, McKissick, and Hartsell (Primary Sponsors):

S.B. 803, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senator Hartsell:

S.B. 804, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA TO COORDINATE A WORKING GROUP CHARGED WITH DEVELOPING STANDARDS FOR STATE AGENCIES TO USE WHEN

May 4, 2016

DESIGNING AND IMPLEMENTING PILOT PROJECTS MANDATED BY THE GENERAL ASSEMBLY, TO REQUIRE THE OFFICE OF STATE BUDGET AND MANAGEMENT TO ADOPT RULES IMPLEMENTING THOSE STANDARDS, TO REPEAL THE PROGRAM EVALUATION DIVISION STUDY OF OVERNIGHT RESPITE SERVICES, AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON OVERNIGHT RESPITE SERVICES TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senator Hartsell:

S.B. 805, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

By Senator Hartsell:

S.B. 806, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AMENDMENTS TO CLARIFY THAT TENANCY BY THE ENTIRETY IS PRESERVED IN THIS STATE IN LIGHT OF THE UNITED STATES SUPREME COURT DECISION IN OBERGEFELL V. HODGES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

By Senator Hartsell:

S.B. 807, A BILL TO BE ENTITLED AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

By Senators Hartsell, Foushee, Krawiec (Primary Sponsors); Daniel, McInnis, Pate, Tucker and Waddell:

S.B. 808, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A JOINT COMMITTEE TO STUDY THE UNFUNDED LIABILITY OF THE RETIREE HEALTH BENEFIT FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

May 4, 2016

By Senators Daniel (Primary Sponsor) and Pate:

S.B. 809, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CLEVELAND COUNTY SHERIFF'S OFFICE MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND PROVIDING THAT CLEVELAND COUNTY AND THE MUNICIPALITIES IN CLEVELAND COUNTY MAY DONATE RETIRED SERVICE ANIMALS USED BY THE SHERIFF'S OFFICE OR POLICE DEPARTMENT OR ANY OTHER COUNTY OR MUNICIPAL AGENCY TO THE SHERIFF, DEPUTY, POLICE OFFICER, OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL.

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

By Senators Brown (Primary Sponsor) and Pate:

S.B. 810, A BILL TO BE ENTITLED AN ACT TO STUDY AND MAKE ECONOMIC DEVELOPMENT CHANGES.

Referred to the **Commerce Committee**.

By Senators Brown (Primary Sponsor); J. Davis, B. Jackson and Pate:

S.B. 811, A BILL TO BE ENTITLED AN ACT TO DIRECT THAT A PORTION OF LOTTERY REVENUES BE ALLOCATED FOR K-12 SCHOOL CONSTRUCTION BASED UPON COUNTY NEED AND ABILITY TO PAY FOR SCHOOL CONSTRUCTION PROJECTS.

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

ADDITIONAL SPONSOR

Senator Chaudhuri requests to be added as a co-sponsor of previously introduced legislation:

S.B. 740, A BILL TO BE ENTITLED AN ACT TO DIRECT CERTAIN STATE AGENCIES TO COLLABORATE ON AN ONGOING BASIS IN AN INITIATIVE TO DEVELOP AND IMPLEMENT A STATEWIDE VISION FOR EARLY CHILDHOOD EDUCATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

S.B. 797, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE FEASIBILITY AND DESIRABILITY OF DEVELOPING A STATEWIDE STREAMLINED APPLICATION PROCESS BY WHICH ELIGIBLE FAMILIES MAY APPLY FOR AND OBTAIN AVAILABLE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

May 4, 2016

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-FIFTH DAY

Senate Chamber
Thursday, May 5, 2016

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

Prayer is offered by The Reverend Nate Wilks from Calvary Presbyterian Church of Raleigh, North Carolina, as follows:

“Our great God, you are king over all the earth. You reign over the nations and sit on your holy throne. We ask today that you would endow these, your servants, with great wisdom to do justice, to love mercy, and to walk humbly with you. You call upon your people to pray for kings and all who are in high positions. Would you encourage these, your servants, with the knowledge that many people are gathered throughout this nation on this very day to lift them up in prayer? You invite us to be anxious for nothing, but in all things by prayer and supplication, with thanksgiving, to make our requests known to you. Would you encompass these your servants with the peace that passes all understanding that their hearts and minds might be fixed on you? We pray all these things in Jesus’ name. Amen.”

Senator Apodaca announces that the Senate Journal of Wednesday, May 4, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bryant, Senator B. Jackson, Senator Lowe, Senator Newton, Senator Robinson, and Senator Woodard.

ENROLLED RESOLUTION

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. 982, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT L. SCHURMEIER, JR., AS DIRECTOR OF THE STATE BUREAU OF INVESTIGATION. (Res. 2016-4)

May 5, 2016

Upon motion of Senator Apodaca, seconded by Senator Sanderson, the Senate adjourns at 11:11 a.m., subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House of Representatives, to reconvene Monday, May 9, at 11:30 a.m.

INTRODUCTION OF BILLS

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

By Senators Cook and Sanderson (Primary Sponsors):

S.B. 812, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM THE FERRY TAX AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR FERRY VESSEL REPLACEMENT.

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators Woodard, Foushee (Primary Sponsors); Lowe and Van Duyn:

S.B. 813, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE REVISIONS TO THE GROUNDWATER CORRECTIVE ACTION RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.

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

By Senators Tarte, Hise (Primary Sponsors) and Brock:

S.B. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY.

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

By Senator Blue:

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LONGLEAF SCHOOL OF THE ARTS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

Referred to the **Insurance Committee**.

By Senators Waddell, Blue, Lowe (Primary Sponsors) and Van Duyn:

S.B. 816, A BILL TO BE ENTITLED AN ACT TO INCREASE TEACHER SALARIES.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

May 5, 2016

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, for concurrence in House Amendment No. 2.

The bill is placed on the calendar of Tuesday, May 10.

ADDITIONAL SPONSORS

Senator McInnis and Senator Pate request to be added as co-sponsors of previously introduced legislation:

S.B. 794, A BILL TO BE ENTITLED AN ACT AUTHORIZING GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS AND OFFERING LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-SIXTH DAY

Senate Chamber
Monday, May 9, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, we thank you for this day, and we ask you to bless us, keep us, and shine your face on us. It’s in your name we pray, Jesus. Amen.”

Senator Hise announces that the Senate Journal of Thursday, May 5, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

ENROLLED BILLS

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

May 9, 2016

S.B. 725, AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.

S.B. 729, AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS.

Upon motion of Senator Hise, seconded by Senator Apodaca, the Senate adjourns at 11:34 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of messages from the House of Representatives, and the appointment of committee members, to reconvene Tuesday, May 10, at 2:00 p.m.

INTRODUCTION OF BILLS

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

By Senators Rucho, Rabon, Tillman (Primary Sponsors) and Pate:

S.B. 817, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT.

Referred to the **Finance Committee**.

By Senators Rucho, Rabon, Tillman (Primary Sponsors) and Pate:

S.B. 818, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNT, EFFECTIVE FOR THE 2016 TAXABLE YEAR.

Referred to the **Finance Committee**.

By Senators Krawiec, Rabin (Primary Sponsors) and Pate:

S.B. 819, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCOME TAX RELIEF FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES WHO ARE NORTH CAROLINA RESIDENTS BUT STATIONED OUTSIDE OF THE STATE.

Referred to the **Finance Committee**.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS AND TO ESTABLISH THE HEALTHY OUT-OF-SCHOOL TIME (HOST) RECOGNITION PROGRAM, referred to the **Rules and Operations of the Senate Committee** on April 22, 2015.

May 9, 2016

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Education/Higher Education Committee**.

Pursuant to Senator Hise's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-SEVENTH DAY

Senate Chamber
Tuesday, May 10, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Oh, Lord, we sure do need you. We need your help as always. You are so good to always provide what we ask for. You are so patient with us, Heavenly Father, as we sometimes try to run out in front of you and tell you what to do. When the nations rage and the peoples plot in vain, you remain steadfast in your love though, Lord. You are our refuge; you are our strength. As we wait in the shadow of your wings, would you help us to walk together as a family through this short session? It's in Jesus' name we pray. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, May 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Berger, Senator Brown, and Senator Smith-Ingram.

The Chair extends privileges of the floor to Kira Bruck from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

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

May 10, 2016

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, for concurrence in House Amendment No. 2.

Upon motion of Senator Rucho, the Senate fails to concur in House Amendment No. 2 (1-46), and the House of Representatives is notified.

SENATE PAGES

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

Audra Cloer, Franklin; Carly Davis, Franklin; Maddie Davis, Seaboard; Abby Farina, Sanford; Nick Griffin, Asheboro; Tucker Hartley, Angier; Joe Hyde, Greensboro; Emilyann Marsh, Zebulon; Marika Samuelsson, Selma; and Sara Shugart, Jacksonville.

Upon motion of Senator Pate, seconded by Senator Brock, the Senate adjourns at 2:24 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the ratification of bills, the receipt of messages from the House of Representatives, the appointment of conferees, and the appointment of committee members, to reconvene Wednesday, May 11, at 2:00 p.m.

INTRODUCTION OF BILLS AND A RESOLUTION

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

By Senators B. Jackson, Brown, and Harrington (Primary Sponsors):

S.B. 820, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND FOR OTHER PURPOSES.

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

By Senator Hartsell:

S.B. 821, 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 I Committee**.

By Senator Hartsell:

S.B. 822, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO TWO SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

May 10, 2016

By Senator Krawiec:

S.B. 823, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Redistricting Committee**.

By Senators Pate (Primary Sponsor); Brock, Daniel, Gunn, B. Jackson, Krawiec, Lee, McInnis, Sanderson and Tucker:

S.R. 824, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.

The bill is placed on the calendar of May 11.

ADDITIONAL SPONSOR

Senator Brock requests to be added as a co-sponsor of previously introduced legislation:

S.B. 817, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNT, EFFECTIVE FOR THE 2016 TAXABLE YEAR.

S.B. 819, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCOME TAX RELIEF FOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES WHO ARE NORTH CAROLINA RESIDENTS BUT STATIONED OUTSIDE OF THE STATE.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-EIGHTH DAY

Senate Chamber
Wednesday, May 11, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

May 11, 2016

“Lord, as we come before you to pray, we want to thank you for basic things like seeing and talking and our right minds. Father, we come before you, Lord, and we ask you to relieve us of our collective burdens. Do with us what you will, Lord. Have mercy upon us. Lift our hearts up to respond to you. ‘Bless the Lord, O my soul, and forget not all his benefits. He forgives all of your iniquities; he heals us of our diseases. He redeems our life from the pit.’* It is in Jesus’ name we pray. Amen.”

* Psalm 103: 2-4 (paraphrase)

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 10, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

The Chair extends privileges of the floor to Lisa Elliott from Sanford, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED RESOLUTIONS

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. 749, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LYONS GRAY TO THE UTILITIES COMMISSION. (Res. 2016-5)

S.J.R. 750, A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF CHRISTOPHER LOUTIT TO THE NORTH CAROLINA INDUSTRIAL COMMISSION. (Res. 2016-6)

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Daniel for the **Transportation Committee**:

S.B. 761, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE FREIGHT RAIL AND RAIL CROSSING SAFETY IMPROVEMENT FUND MAY BE USED TO ASSIST SHORT-LINE RAILROADS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

May 11, 2016

S.B. 772, A BILL TO BE ENTITLED AN ACT TO NAME THE CAPE FEAR RIVER BRIDGE LOCATED IN THE TOWN OF TAR HEEL IN BLADEN COUNTY THE “DAVID B. MELVIN MEMORIAL BRIDGE,” with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

By Senator Tillman for the **Education/Higher Education Committee**:

H.B. 474 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS AND TO ESTABLISH THE HEALTHY OUT-OF-SCHOOL TIME (HOST) RECOGNITION PROGRAM, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40616, which changes the title to read **H.B. 474** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK-OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS, is adopted and engrossed.

CALENDAR

A resolution on today’s calendar is taken up and disposed of as follows:

S.R. 824, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS, for adoption.

Upon motion of Senator Pate, the Senate Resolution is adopted (49-0).

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 726, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, as amended by the House.

Pursuant to the Senate having failed to concur in House Amendment No. 2 for S.B. 726 on May 10, Senator Louis Pate, Deputy President *Pro Tempore*, announces the President *Pro Tempore*’s appointment of Senator Rucho, Chair; Senator Rabon, Senator Tillman, Senator Apodaca, Senator Wade, and Senator McKissick as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

May 11, 2016

Upon motion of Senator Berger, seconded by Senator Pate, the Senate adjourns at 2:30 p.m., in memory of Zeb Alley, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of committee members, to reconvene Thursday, May 12, at 11:00 a.m.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Daniel for the **Transportation Committee**:

S.B. 778, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FISCAL IMPACT OF SEPA REFORM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15362, is adopted and engrossed.

CHANGES TO 2015-2016 SENATE COMMITTEES

Pursuant to Rule 31, Senator Berger, President *Pro Tempore*, makes the following standing committee membership changes:

Senator Ballard is appointed to the **Appropriations on Justice and Public Safety Committee**, the **Education/Higher Education Committee**, the **Health Care Committee**, the **State and Local Government Committee**, and the **Workforce and Economic Development Committee**.

Senator Barefoot is removed as Co-Chair of the **Workforce and Economic Development Committee**, appointed as Co-Chair of the **Education/Higher Education Committee**, and appointed as a member to the **Appropriations/Base Budget Committee** and the **Commerce Committee**.

Senator Bryant is removed from the **Judiciary II Committee** and appointed to the **Judiciary I Committee**.

Senator Chaudhuri is appointed to the **Appropriations on General Government and Information Technology Committee**, the **Judiciary II Committee**, the **Pensions & Retirement and Aging Committee**, the **State and Local Government Committee**, and the **Workforce and Economic Development Committee**.

Senator Curtis is appointed to the **Redistricting Committee**.

May 11, 2016

Senator D. Davis is appointed to the **Finance Committee**.

Senator Lee is appointed to the **Appropriations on Education/Higher Education Committee** and the **Select Committee on UNC Board of Governors**.

Senator Lowe is appointed to the **Education/Higher Education Committee** and the **Rules and Operations of the Senate Committee**.

Senator Pate is appointed to the **Finance Committee**.

Senator Rabon is appointed to the **Judiciary I Committee**.

Senator Smith-Ingram is appointed to the **Commerce Committee**.

Senator Tillman is appointed as Co-Chair of the **Appropriations on Education/Higher Education Committee**.

Senator Van Duyn is appointed to the **Transportation Committee**.

INTRODUCTION OF BILLS AND A RESOLUTION

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

By Senators Wells and Rucho (Primary Sponsors):

S.B. 825, A BILL TO BE ENTITLED AN ACT EXPANDING HOSPITAL DISCLOSURE REQUIREMENTS PERTAINING TO CHARITY CARE, PATIENT REVENUES, INCOME, AND CAPITAL ASSETS AND IMPROVEMENTS; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, FOR INFORMATION TECHNOLOGY COSTS ASSOCIATED WITH THE DEPARTMENT'S EXPANDED RESPONSIBILITIES UNDER THESE REQUIREMENTS.

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

By Senators Gunn, Brown, Hise (Primary Sponsors); Ballard, Curtis, Daniel, Ford, McInnis, Pate, Rabin, Tucker and Woodard:

S.B. 826, A BILL TO BE ENTITLED AN ACT TO ENACT THE PROSPERITY AND ECONOMIC OPPORTUNITY FOR ALL OF NORTH CAROLINA ACT OF 2016.

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

May 11, 2016

By Senators Blue (Primary Sponsor); Bryant, Foushee, Smith and Waddell:

S.B. 827, A BILL TO BE ENTITLED AN ACT TO ALLOW A DEDUCTION FOR DEPENDENCY AND INDEMNITY COMPENSATION (DIC) BENEFITS FOR VETERANS' SURVIVORS WHEN DEFINING INCOME FOR MEDICAID.

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

By Senators Ford (Primary Sponsor) and Bryant:

S.B. 828, A BILL TO BE ENTITLED AN ACT TO ENACT THE SMALL BUSINESS INCENTIVE ACT.

Referred to the **Finance Committee**.

By Senators Ford (Primary Sponsor) and Bryant:

S.B. 829, A BILL TO BE ENTITLED AN ACT TO EXCLUDE SMALL BUSINESSES FROM THE DOLLAR LIMITATIONS AND ADD-BACK REQUIREMENTS APPLIED TO SECTION 179 EXPENSES.

Referred to the **Finance Committee**.

By Senators McInnis (Primary Sponsor) and Krawiec:

S.B. 830, A BILL TO BE ENTITLED AN ACT TO ADD MITRAGYNINE AND 7-HYDROXYMITRAGYNINE, ALSO KNOWN AS KRATOM, TO THE LIST OF CONTROLLED SUBSTANCES AND TO APPROPRIATE FUNDS FOR THE STATE BUREAU OF INVESTIGATION TO ASSIST WITH OPERATING COSTS.

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

By Senator B. Jackson:

S.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS.

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

By Senators Rabon (Primary Sponsor) and Lee:

S.B. 832, A BILL TO BE ENTITLED AN ACT TO EXPAND THE 1%/\$80 EXCISE TAX PROVISION FOR A COMPANY LOCATED AT A PORTS FACILITY TO INCLUDE PARTS, ACCESSORIES, AND ATTACHMENTS USED TO MAINTAIN, REPAIR, OR REPLACE MACHINERY AND EQUIPMENT USED TO UNLOAD OR PROCESS CARGO.

Referred to the **Finance Committee**.

By Senator Rabin:

S.B. 833, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RENEWAL FEES FOR BEER AND WINE PERMITS.

Referred to the **Commerce Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senators Daniel, Randleman, Barefoot (Primary Sponsors); Ballard, Brock, Bryant, Cook, Curtis, Foushee, Hise, J. Jackson, Lee, McInnis, Pate, Rabin, Sanderson, Smith and Waddell:

S.B. 834, A BILL TO BE ENTITLED AN ACT TO PROVIDE A COST-OF-LIVING ADJUSTMENT FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM.

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

By Senators Hartsell, Waddell (Primary Sponsors); Bryant and Curtis:

S.B. 835, A BILL TO BE ENTITLED AN ACT TO INCREASE LEGISLATOR SUBSISTENCE AND TRAVEL ALLOWANCES TO MATCH 2015 IRS RATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Referred to the **Finance Committee**.

By Senators Barefoot (Primary Sponsor); Krawiec and McInnis:

S.B. 836, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ALTERNATIVE TEACHER PREPARATION PROGRAMS.

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

By Senator Hise:

S.B. 837, A BILL TO BE ENTITLED AN ACT TO REQUIRE PREPAID HEALTH PLANS TO OBTAIN A LICENSE FROM THE DEPARTMENT OF INSURANCE AND TO ENSURE SOLVENCY OF ALL PREPAID HEALTH PLAN PROVIDERS UNDER THE MEDICAID PROGRAM, AS PROVIDED BY THE DEPARTMENT OF INSURANCE AND AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MEDICAID AND NC HEALTH CHOICE.

Referred to the **Insurance Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senators Hise (Primary Sponsor); Cook, Pate and Sanderson:

S.B. 838, A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MEDICAID AND NC HEALTH CHOICE.

Referred to the **Health Care Committee**.

May 11, 2016

By Senator Hise:

S.B. 839, A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO REMIT CERTAIN LIQUIDATED DAMAGES PROCEEDS TO THE YANCEY COUNTY/BURNSVILLE CHAMBER OF COMMERCE.

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators Hise (Primary Sponsor); Chaudhuri, Cook, Daniel, Rabin and Sanderson:

S.B. 840, A BILL TO BE ENTITLED AN ACT TO EXPAND TOURISM IN AND MARKETING OF NORTH CAROLINA.

Referred to the **Commerce Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators Hise, Krawiec, Foushee (Primary Sponsors) and Pate:

S.B. 841, A BILL TO BE ENTITLED AN ACT TO SUPPORT IMPROVEMENT IN THE TIMELINESS OF MEDICAID ELIGIBILITY DETERMINATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

By Senator Cook:

S.B. 842, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX THE RENTAL OF LINENS TO THE PROVIDER OF A RESIDENTIAL ACCOMMODATION.

Referred to the **Finance Committee**.

By Senators Cook and Brock (Primary Sponsors):

S.B. 843, A BILL TO BE ENTITLED AN ACT TO PREVENT INTERFERENCE WITH PROPERTY RIGHTS, ENVIRONMENTAL DAMAGE, AND HARMS TO PUBLIC HEALTH RESULTING FROM THE SITING AND OPERATION OF RENEWABLE ENERGY FACILITIES.

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

By Senators Hise, Krawiec, D. Davis (Primary Sponsors); J. Jackson and Waddell:

S.B. 844, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE USE OF THE ECONOMIC DEVELOPMENT TIER STRUCTURE.

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

May 11, 2016

By Senators Waddell, Smith, Van Duyn (Primary Sponsors); Bryant and Foushee:

S.B. 845, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FIXED TUITION PLAN FOR NORTH CAROLINA STUDENTS WHO ENROLL IN A BACCALAUREATE DEGREE PROGRAM AT ANY CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SYSTEM.

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

By Senators Brown (Primary Sponsor) and Smith:

S.B. 846, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LOCAL OPTION SALES TAX (LOST) ADJUSTMENT FACTOR TO ONE THAT VARIES BY ECONOMIC DEVELOPMENT TIERS AND TO REPEAL THE STATE CONTRIBUTION TOWARD THE LOST ADDITIONAL SALES TAX DISTRIBUTION.

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

By Senators Brown, Harrington, B. Jackson (Primary Sponsors) and Cook:

S.B. 847, A BILL TO BE ENTITLED AN ACT TO FACILITATE BUDGET STABILITY AND CONTINUITY IN THE EVENT THAT A FISCAL YEAR BEGINS FOR WHICH NO CURRENT OPERATIONS APPROPRIATIONS ACT HAS BECOME LAW.

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

By Senators Barringer, Chaudhuri, and Foushee (Primary Sponsors):

S.B. 848, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO CLARIFY THE TOWN'S AUTHORITY TO CONDITION SITE PLAN APPROVAL, TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY, AND TO AUTHORIZE THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS.

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

By Senators Barringer, Chaudhuri, and Foushee (Primary Sponsors):

S.B. 849, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, WAKE FOREST, AND ZEBULON TO DONATE RETIRED SERVICE ANIMALS USED BY THE POLICE DEPARTMENT OR ANY OTHER TOWN AGENCY TO THE POLICE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL.

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

May 11, 2016

By Senators Barringer and Daniel (Primary Sponsors):

S.B. 850, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF MOTIONS FOR APPROPRIATE RELIEF, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

Referred to the **Judiciary II Committee**.

By Senators Barringer, Hise, Tucker (Primary Sponsors); Cook, Hartsell, J. Jackson, Krawiec, Lee, Pate and Sanderson:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO SUPPORT THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ITS EFFORT TO TRANSFORM THE STATE'S CHILD WELFARE SYSTEM.

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

By Senator Hise:

S.B. 852, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE.

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

By Senators Lowe (Primary Sponsor); Barefoot, Bingham, Brock, Bryant, Daniel, Ford, Foushee, Hise, B. Jackson, Pate, Sanderson, Smith, Waddell and Woodard:

S.J.R. 853, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EARLINE W. PARMON, FORMER MEMBER OF THE GENERAL ASSEMBLY.

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

By Senators Lowe, Smith (Primary Sponsors); Bryant, Foushee and Waddell:

S.B. 854, A BILL TO BE ENTITLED AN ACT MANDATING THAT THE DIVISION OF MOTOR VEHICLES OFFER VOTER REGISTRATION WHEN A PERSON SEEKS ISSUANCE OR RENEWAL OF A DRIVERS LICENSE OR VALID NORTH CAROLINA IDENTIFICATION CARD.

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Redistricting Committee**.

By Senators McKissick, Smith-Ingram, Waddell (Primary Sponsors); Bryant, Foushee and Smith:

S.B. 855, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CALCULATION OF SCHOOL PERFORMANCE GRADES AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY POTENTIAL FACTORS TO INCLUDE IN THE CALCULATION OF GRADES.

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

May 11, 2016

By Senators McKissick, Smith (Primary Sponsors); Bryant and Waddell:

S.B. 856, A BILL TO BE ENTITLED AN ACT TO INCREASE ACCESS TO SPAY AND NEUTER SERVICES FOR LOW-INCOME NORTH CAROLINIANS.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators McKissick, Harrington, Rabon (Primary Sponsors); Bryant, Chaudhuri, Daniel, Ford, Hise, J. Jackson, Pate, Waddell and Woodard:

S.B. 857, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LIMITATION ON FUNDING FROM THE HIGHWAY TRUST FUND FOR LIGHT RAIL TRANSIT SYSTEM PROJECTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS.

Referred to the **Transportation Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators McKissick, Daniel, Hartsell (Primary Sponsors); Bryant, J. Jackson and McInnis:

S.B. 858, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFERRED PROSECUTION STATUTES TO ALLOW DISTRICT ATTORNEYS THE DISCRETION TO WAIVE PRIOR DEFERRED PROSECUTION AND ALLOW CERTAIN DEFENDANTS TO ENTER THE PROGRAM AND TO PROVIDE FOR AUTOMATIC EXPUNCTION UPON COMPLETION OF THE DEFERRED PROSECUTION AND DISMISSAL OF THE CHARGES.

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

By Senators McKissick, Daniel, Hartsell (Primary Sponsors); Bryant and Sanderson:

S.B. 859, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF ADULT CORRECTION TO DEVELOP AND IMPLEMENT A PILOT PROJECT TO ALLOW ADULT OFFENDERS AND JUVENILES WHO ARE IN GOOD STANDING TO HAVE ACCESS TO COMPUTER TABLETS FOR THE PURPOSE OF CONTINUING EDUCATION, BEHAVIORAL MODIFICATION, AND REHABILITATIVE PROGRAMMING IN PREPARATION FOR REENTRY INTO SOCIETY.

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

By Senators Lee and Rabon (Primary Sponsors):

S.B. 860, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY

May 11, 2016

PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION.

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

By Senators Smith, Blue (Primary Sponsors); Bryant, Foushee, Waddell and Woodard:

S.B. 861, A BILL TO BE ENTITLED AN ACT TO EXCLUDE DEBTS DISCHARGED ON PERMANENT RESIDENCES FROM INCOME TAX.

Referred to the **Finance Committee**.

By Senators Barefoot, Curtis, Wade (Primary Sponsors); Berger, Bingham, Brock, Brown, Daniel, J. Davis, Krawiec, Lee, McInnis, Rabin, Sanderson and Tucker:

S.B. 862, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OPPORTUNITY SCHOLARSHIP GRANT FUND RESERVE TO PROVIDE FUNDS FOR SCHOLARSHIP GRANTS TO BE AWARDED TO STUDENTS FOR THE FOLLOWING SCHOOL YEAR.

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

By Senators Bryant (Primary Sponsor) and Waddell:

S.B. 863, A BILL TO BE ENTITLED AN ACT TO EXPAND ELIGIBILITY FOR THE MEDICAID PROGRAM TO INCLUDE ALL PEOPLE UNDER AGE SIXTY-FIVE WHO HAVE INCOMES EQUAL TO OR BELOW ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, TO APPROPRIATE FUNDS FOR COSTS ASSOCIATED WITH THE EXPANSION, TO ACCOUNT FOR THE SAVINGS TO OTHER STATE PROGRAMS AS A RESULT OF THE EXPANSION, AND TO HAVE THE STATE SHARE OF COSTS OF THE EXPANSION FUNDED BY HOSPITAL PROVIDERS.

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

By Senators Bryant (Primary Sponsor) and Waddell:

S.B. 864, A BILL TO BE ENTITLED AN ACT INCREASING THE MINIMUM WAGE IN NORTH CAROLINA TO TWELVE DOLLARS PER HOUR AND APPROPRIATING FUNDS FOR STATE EMPLOYEES' PAY ADJUSTMENTS REQUIRED BY THE INCREASE.

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

By Senators Sanderson (Primary Sponsor); J. Davis and Rabin:

S.B. 865, A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES, TO INCREASE THE

NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN, AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES.

Referred to the **Insurance Committee**.

By Senators Sanderson (Primary Sponsor) and Rabin:

S.B. 866, A BILL TO BE ENTITLED AN ACT TO ALLOW A MOTOR FUEL TAX REFUND FOR A REGIONAL SOLID WASTE MANAGEMENT AUTHORITY CREATED UNDER ARTICLE 22 OF CHAPTER 153A OF THE GENERAL STATUTES.

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

By Senators Barefoot, Wade, Newton (Primary Sponsors); Brock, Brown, Daniel, Hise, Krawiec, Lee, McInnis, Pate, Sanderson, Tillman and Tucker:

S.B. 867, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE.

Referred to the **Education/Higher Education Committee** and upon a favorable report will be re-referred to the **Judiciary I Committee**.

By Senators Sanderson, Newton (Primary Sponsors); Barefoot, Brock, Brown, Cook, Curtis, J. Davis, Krawiec and Rabin:

S.B. 868, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATUTE THAT PROHIBITS THE USE OF CERTAIN FORMS OF IDENTIFICATION BY STATE AND LOCAL OFFICIALS; TO REPEAL A STATUTORY EXCEPTION TO THAT STATUTE; AND TO CREATE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO COMPLY WITH STATE LAWS RELATED TO IMMIGRATION.

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

By Senators Rucho, Rabon (Primary Sponsors); Curtis, Ford and Hise:

S.B. 869, A BILL TO BE ENTITLED AN ACT TO USE MARKET-BASED SOURCING FOR MULTISTATE INCOME TAX APPORTIONMENT.

Referred to the **Finance Committee**.

By Senators Rucho, Rabon, Tillman (Primary Sponsors) and Ford:

S.B. 870, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR UNDERCOLLECTION OF SALES AND USE TAX ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES AND TO REFINE THE APPLICATION OF SALES AND USE TAX ON REPAIR, MAINTENANCE, AND INSTALLATION SERVICES.

Referred to the **Finance Committee**.

May 11, 2016

By Senators Cook, Sanderson, Tillman (Primary Sponsors) and McInnis:

S.B. 871, A BILL TO BE ENTITLED AN ACT TO CREATE AND FUND A PROGRAM FOR THE PERMITTING OF MARINE AQUACULTURE ACTIVITIES IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO REQUIRE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO JOINTLY REQUEST THE ISSUANCE OF FEDERAL RULES TO ALLOW MARINE AQUACULTURE IN FEDERAL WATERS OFF THE COAST OF THE STATE.

Referred to the **Agriculture/Environment/Natural Resources Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

By Senators Apodaca (Primary Sponsor); Curtis and Rabin:

S.B. 872, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

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

By Senators Apodaca (Primary Sponsor); Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, McInnis, Pate, Rabin, Rabon, Randleman, Sanderson, Tillman, Wade and Wells:

S.B. 873, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES DESIGNED TO MAKE PUBLIC HIGHER EDUCATION MORE AFFORDABLE IN ACCORDANCE WITH THE STATE CONSTITUTIONAL MANDATE THAT THE BENEFITS OF PUBLIC HIGHER EDUCATION, AS FAR AS PRACTICABLE, BE EXTENDED TO THE PEOPLE OF THE STATE FREE OF EXPENSE.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.J.R. 1018, A JOINT RESOLUTION CONFIRMING THE GOVERNOR'S REAPPOINTMENT OF RAYMOND E. GRACE TO THE OFFICE OF COMMISSIONER OF BANKS.

Referred to the **Select Committee on Nominations**.

May 11, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 11, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 436 Senate Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM SERIOUS HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY, and requests conferees. Speaker Moore has appointed:

Representative Daughtry, Chair
Representative Bryan
Representative Davis
Representative Bishop
Representative Stevens and
Representative D. Hall

on the part of the House of Representatives 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

ADDITIONAL SPONSORS

Senator Hartsell requests to be added as a co-sponsor of previously introduced legislation:

S.B. 851, A BILL TO BE ENTITLED AN ACT TO SUPPORT THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ITS EFFORT TO TRANSFORM THE STATE'S CHILD WELFARE SYSTEM.

Senator Bingham and Senator Hartsell request to be added as co-sponsors of previously introduced legislation:

May 11, 2016

S.B. 873, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES DESIGNED TO MAKE PUBLIC HIGHER EDUCATION MORE AFFORDABLE IN ACCORDANCE WITH THE STATE CONSTITUTIONAL MANDATE THAT THE BENEFITS OF PUBLIC HIGHER EDUCATION, AS FAR AS PRACTICABLE, BE EXTENDED TO THE PEOPLE OF THE STATE FREE OF EXPENSE.

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. 725, AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE. (Became law upon approval of the Governor, May 11, 2016 - S.L. 2016-4)

S.B. 729, AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS. (Became law upon approval of the Governor, May 11, 2016 - S.L. 2016-5)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FORTY-NINTH DAY

Senate Chamber
Thursday, May 12, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Almighty and Heavenly Father, would you please strengthen us with all of your power, according to your glorious might? We ask that for each senator here, each staff member here, everybody who is working in this complex. We ask that you would strengthen them with your power. In Jesus' name we pray. Amen.”

Senator Apodaca announces that the Senate Journal of Wednesday, May 11, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Brown, Senator McInnis, Senator Meredith, Senator Pate, and Senator Tucker.

May 12, 2016

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 474 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK-OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Tuesday, May 17.

The Chair extends privileges of the floor to Dr. Karen Slocum from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Tamara Jones from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Newton for the **Judiciary I Committee**:

S.B. 734, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, with a favorable report.

The bill is placed on the calendar of Tuesday, May 17.

S.B. 807, A BILL TO BE ENTITLED AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

The bill is placed on the calendar of Tuesday, May 17.

S.B. 754, A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES (1) FOR PERSONS WHO FRAUDULENTLY RECORD LIENS AND (2) FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

May 12, 2016

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35364, which changes the title to read **S.B. 754** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO FRAUDULENTLY RECORD LIENS AND FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION, is adopted and engrossed.

The Committee Substitute bill is placed on the calendar of Tuesday, May 17.

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

CALENDAR

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

S.B. 778 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FISCAL IMPACT OF SEPA REFORM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, upon second reading.

The Committee Substitute bill passes its second reading (39-5) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives.

Upon motion of Senator Apodaca, seconded by Senator Newton, the Senate adjourns at 11:26 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of committee members, to reconvene Monday, May 16, at 11:30 a.m.

INTRODUCTION OF BILLS

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

By Senator Rabin:

S.B. 874, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF ALL AREAS IN HARNETT COUNTY EXCLUSIVE OF THE AVERASBORO TOWNSHIP AND TO AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

May 12, 2016

By Senator Rabon:

S.B. 875, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

By Senator Smith:

S.B. 876, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR PUBLIC ENTERPRISE SERVICES.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

CHANGES TO 2015-2016 SENATE COMMITTEES

Pursuant to Rule 31, Senator Berger, President *Pro Tempore*, makes the following standing committee membership changes:

Senator Smith-Ingram is removed from the **Commerce Committee** and is appointed to the **Workforce and Economic Development Committee**.

Senator Chaudhuri is removed from the **Workforce and Economic Development Committee** and is appointed to the **Commerce Committee**.

Pursuant to Senator Apodaca's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTIETH DAY

Senate Chamber
Monday, May 16, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Ralph Hise, Senator from Mitchell County.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, as we come before you, we ask you to usher us into your presence as we start another week of work. We know that only in you can we make wise decisions. We pray for those here, that they might know your peace and that they might know that only in you can our fears turn into peace. It's in Jesus' name we pray. Amen.”

May 16, 2016

Senator Alexander announces that the Senate Journal of Thursday, May 12, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

Upon motion of Senator Alexander, seconded by Senator Hise, the Senate adjourns at 11:39 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Tuesday, May 17, at 4:00 p.m.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, referred to the **Rules and Operations of the Senate Committee** on May 5.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Information Technology Committee**.

S.B. 792, A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS, referred to the **Rules and Operations of the Senate Committee** on May 2.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Information Technology Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 971 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

Referred to the **Transportation Committee**.

H.B. 995, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF MOTIONS FOR APPROPRIATE RELIEF, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.

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

May 16, 2016

H.B. 1012 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE ALLOCATION OF CHILD CARE SUBSIDIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

H.B. 1013 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE FEASIBILITY AND DESIRABILITY OF DEVELOPING A STATEWIDE STREAMLINED APPLICATION PROCESS BY WHICH ELIGIBLE FAMILIES MAY APPLY FOR AND OBTAIN AVAILABLE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

H.B. 1014 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO RENAME PART 6 OF ARTICLE 1B OF CHAPTER 130A OF THE GENERAL STATUTES TO TAYLOR'S LAW ESTABLISHING THE ADVISORY COUNCIL ON RARE DISEASES.

Referred to the **Health Care Committee**.

H.B. 1040 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON THE COSTS ASSOCIATED WITH SLOTS FOR THE NC PRE-K PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Referred to the **Health Care Committee**.

Pursuant to Senator Alexander's motion to adjourn having prevailed, the Senate stands adjourned.

May 16, 2016

ONE HUNDRED FIFTY-FIRST DAY

Senate Chamber
Tuesday, May 17, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, you are our helper. When things are tough, you are strong. When traffic is bad, when people are late, when our plans fail, you are our helper. Lord, we ask you to please, again, be that today. Steady our hands to the good task. Make us instruments of your peace, Lord, and of your grace, Lord. It is in the name of the peacemaker, Jesus, that we pray. Amen.”

Senator Apodaca announces that the Senate Journal of Monday, May 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today’s calendar:

S.B. 754 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO FRAUDULENTLY RECORD LIENS AND FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today’s calendar and re-referred to the **Appropriations/Base Budget Committee**.

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

The Chair extends privileges of the floor to Ashley Keenan from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

May 17, 2016

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

S.B. 841, A BILL TO BE ENTITLED AN ACT TO SUPPORT IMPROVEMENT IN THE TIMELINESS OF MEDICAID ELIGIBILITY DETERMINATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations/Base Budget Committee**.

S.B. 825, A BILL TO BE ENTITLED AN ACT EXPANDING HOSPITAL DISCLOSURE REQUIREMENTS PERTAINING TO CHARITY CARE, PATIENT REVENUES, INCOME, AND CAPITAL ASSETS AND IMPROVEMENTS; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, FOR INFORMATION TECHNOLOGY COSTS ASSOCIATED WITH THE DEPARTMENT'S EXPANDED RESPONSIBILITIES UNDER THESE REQUIREMENTS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15364, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MEDICAID AND NC HEALTH CHOICE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15365, which changes the title to read **S.B. 838** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, is adopted and engrossed.

By Senator J. Davis for the **State and Local Government Committee**:

S.B. 727, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

May 17, 2016

S.B. 733, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PROCTORVILLE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 739, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 741, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Judiciary II Committee**.

S.B. 774, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 803, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

CALENDAR

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

May 17, 2016

S.B. 734, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, upon second reading.

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. 807, A BILL TO BE ENTITLED AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon second reading.

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.

H.B. 474 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK-OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS, upon second reading.

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 in the Senate Committee Substitute bill.

SENATE PAGES

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

Anna Blount, Clinton; Lauren Brown, Troy; Korbin Cummings, Charlotte; Noah de Comarmond, Raleigh; Drew Fisher, Mooresville; Meredith Fowler, Raleigh; Joel Gillison, Harrisburg; Kendall Gilmore, Waynesville; Dianthony Hall, LaGrange; MacKenzie Herman, Franklin; Camden Hughes, Trent Woods; Andrea Irving, Winston-Salem; Arturo Lara, Manteo; Sanaa Lucas, Winston-Salem; Jennifer Qian, Chapel Hill; Lee Rodio, Durham; Queenasia Shivers, High Point; Hunter Smith, Mocksville; and Kate Taylor, Wilson.

Upon motion of Senator Berger, seconded by Senator Sanderson, the Senate adjourns at 4:20 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, and the receipt of messages from the House of Representatives, to reconvene Wednesday, May 18, at 2:00 p.m.

May 17, 2016

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 956 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE.

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

H.B. 957 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO ALLOW THE MAYOR AND COUNCIL MEMBERS TO RECEIVE COMPENSATION FOR THEIR SERVICES AS PROVIDED BY GENERAL LAW.

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

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES.

Referred to the **Judiciary II Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

H.B. 1020, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPOINTMENT OF THE COMMISSION ON INDIGENT DEFENSE SERVICES AND TO MAKE VARIOUS CHANGES TO INDIGENT DEFENSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

Referred to the **Judiciary II Committee**.

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE INQUIRY COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.

Referred to the **Judiciary II Committee**.

H.B. 1037 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS AND TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY.

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

May 17, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 16, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 50** (Conference Committee Substitute #2), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX.

When the appropriate action has been taken by both chambers, the bill will be ordered 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
May 16, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in House Amendment No. 2 for **S.B. 726 (2nd Edition)**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, and requests conferees, Speaker Moore has appointed:

Representative Brawley, Chair
Representative Saine
Representative Howard
Representative Szoka
Representative Catlin and
Representative Goodman

on the part of the House of Representatives to confer with a like committee appointed by the Senate to the end that the differences arising may be resolved.

May 17, 2016

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 16, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to a Proclamation issued by Governor Pat McCrory on May 13, 2016, Scott D. Stone has been administered the oath of office as a Member of the House of Representatives for the remainder of the 2015-2016 General Assembly. Representative Stone has been seated to fill the vacancy created by the resignation of Representative Jacqueline M. Schaffer from the 105th District.

Representative Stone will occupy Seat 65 and has been appointed to the following committees: Appropriations; Appropriations, Education; Banking; Homeland Security, Military, and Veterans Affairs; Public Utilities; and Transportation.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

STATE OF NORTH CAROLINA OFFICE OF THE GOVERNOR

PAT McCRORY
GOVERNOR

May 17, 2016

Lieutenant Governor Dan Forest
President of the Senate
301 N. Blount Street
Raleigh, NC 27601

May 17, 2016

The Honorable Phil Berger
President Pro Tempore of the Senate
16 West Jones Street, Room 2008
Raleigh, North Carolina 27601

The Honorable Tim Moore
Speaker of the House
16 West Jones Street, Room 2304
Raleigh, North Carolina 27601

Dear Lieutenant Governor Forest, President Pro Tempore Berger and Speaker Moore:

Pursuant to N.C.G.S. § 7A-45.1(a10), I hereby nominate and submit for confirmation James L. Gale for the position of Special Superior Court Judge. Chief Judge Gale is nominated to fill the vacancy created by the expiration of his term on February 27, 2016. Upon Chief Judge Gale's confirmation, I intend to ask Chief Justice Mark Martin to once again designate him as a Business Court Judge.

Chief Judge Gale, until recently, was Chief Judge of the North Carolina Business Court. I have consulted with Chief Justice Martin about Chief Judge Gale's leadership on the Court and his record of handling complex business cases. We are in agreement that we cannot afford to lose his expertise, experience, or leadership. As the Business Court's longest serving member, granting an additional term will provide continuity and stability to the Court. The Chief Justice and I are most grateful for his willingness to continue to serve the State of North Carolina in this important capacity.

In addition to the Governor and the Chief Justice's support, the North Carolina Chamber of Commerce, the North Carolina Association of Defense Attorneys, and numerous other well-respected judges and attorneys also support Chief Judge Gale's nomination to the Business Court.

Enclosed, you will find biographical information for Chief Judge Gale. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Denise Weeks, House Principal Clerk
Sarah Lang, Senate Principal Clerk

The message is referred to the **Select Committee on Nominations**.

May 17, 2016

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 385 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PORTION OF COURT COSTS USED FOR THE SHERIFFS' SUPPLEMENTAL PENSION FUND AND TO ALLOW UNUSED SICK LEAVE UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO BE APPLIED AS ELIGIBLE SERVICE IN THE SHERIFFS' SUPPLEMENTAL PENSION FUND, referred to the **Rules and Operations of the Senate Committee** on September 15, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Pensions & Retirement and Aging Committee**.

S.B. 805, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, referred to the **Rules and Operations of the Senate Committee** on May 4.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**.

S.B. 806, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AMENDMENTS TO CLARIFY THAT TENANCY BY THE ENTIRETY IS PRESERVED IN THIS STATE IN LIGHT OF THE UNITED STATES SUPREME COURT DECISION IN OBERGEFELL V. HODGES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, referred to the **Judiciary I Committee** on May 4.

The bill is withdrawn from the **Judiciary I Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES, referred to the **Judiciary II Committee** on May 17, with sequential referral to the **Finance Committee**.

The bill is withdrawn from the **Judiciary II Committee** and re-referred to the **Judiciary I Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

May 17, 2016

ONE HUNDRED FIFTY-SECOND DAY

Senate Chamber
Wednesday, May 18, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Father in heaven, we come to you now and we thank you for this day. Thank you for making it. Thank you for being glad and rejoicing over us with singing right now. We thank you for this place, this government. We thank you for these leaders, we thank you for their families, and we thank you for the guests that have come today. Would you bless us all in the name of Jesus, and would you bless us from our head to our toe? It’s in his name that we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Barringer and Senator Robinson.

The Chair extends privileges of the floor to Veronique Pope from Greenville, North Carolina, Elizabeth Shook from Marshall, North Carolina, and Bonnie Tinsley from Vanceboro, North Carolina, who are serving the Senate as Nurses of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 832, A BILL TO BE ENTITLED AN ACT TO EXPAND THE 1%/\$80 EXCISE TAX PROVISION FOR A COMPANY LOCATED AT A PORTS FACILITY TO INCLUDE PARTS, ACCESSORIES, AND ATTACHMENTS USED TO MAINTAIN, REPAIR, OR REPLACE MACHINERY AND EQUIPMENT USED TO UNLOAD OR PROCESS CARGO, with a favorable report.

S.B. 818, A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNT, EFFECTIVE FOR THE 2016 TAXABLE YEAR, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

May 18, 2016

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15368, which changes the title to read **S.B. 818** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNTS OVER TWO YEARS, is adopted and engrossed.

Upon motion of Senator Apodaca, the Committee Substitute bill is placed on the calendar of Monday, May 23.

CALENDAR

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

S.B. 838 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, upon second reading.

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.

Upon motion of Senator Berger, seconded by Senator Ford, the Senate adjourns at 2:21 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, and the receipt of messages from the House of Representatives, to reconvene Thursday, May 19, at 11:00 a.m.

INTRODUCTION OF BILLS

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

By Senators Pate and D. Davis (Primary Sponsors):

S.B. 877, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE.

Referred to the **State and Local Government Committee** and upon a favorable report will be re-referred to the **Judiciary II Committee**.

By Senator Krawiec:

S.B. 878, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS.

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

May 18, 2016

By Senator Tarte:

S.B. 879, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND GRANTING COUNTYWIDE JURISDICTION TO THE POLICE DEPARTMENTS OF THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE.

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

By Senator Woodard:

S.B. 880, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY.

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

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 678 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE COMMISSION, referred to the **Rules and Operations of the Senate Committee** on August 4, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**.

H.B. 292, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS, referred to the **Rules and Operations of the Senate Committee** on May 14, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

H.B. 817, A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2015, referred to the **Rules and Operations of the Senate Committee** on April 30, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary II Committee**.

H.B. 760 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY PROVIDING FOR VARIOUS ADMINISTRATIVE REFORMS, BY ELIMINATING CERTAIN UNNECESSARY OR OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR

May 18, 2016

SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES, referred to the **Agriculture/Environment/Natural Resources Committee** on May 7, 2015, with a sequential referral to the **Finance Committee**.

The Committee Substitute bill is withdrawn from the **Agriculture/Environment/Natural Resources Committee** and re-referred to the **Commerce Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-THIRD DAY

Senate Chamber
Thursday, May 19, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, as we come to you thinking about budgets, families, whatever it is, we are reminded of your blessing from the old covenant. ‘The Lord bless you, the Lord keep you, the Lord make his face to shine upon everybody in this room, and the Lord give you his peace.’* In Jesus’ name we pray. Amen.”

*Numbers 6:24-26 (paraphrase)

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Wednesday, May 18, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Barringer, Senator Berger, Senator Robinson, and Senator Smith-Ingram.

POINT OF PERSONAL PRIVILEGE

The President recognizes Senator Lowe for a point of personal privilege out of order. Senator Lowe introduces Miss Sanaa Lucas, who is serving in the Senate as a page this week and is an accomplished viola player. He provides biographical information about her and requests that she be allowed to perform for the Senate. The President grants permission for Miss Lucas to enter the well of the Senate where she performs “God Bless America” on the viola.

May 19, 2016

The Chair extends privileges of the floor to Darcy Dennison-Harwood from Burlington, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

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

S.B. 832, A BILL TO BE ENTITLED AN ACT TO EXPAND THE 1%/\$80 EXCISE TAX PROVISION FOR A COMPANY LOCATED AT A PORTS FACILITY TO INCLUDE PARTS, ACCESSORIES, AND ATTACHMENTS USED TO MAINTAIN, REPAIR, OR REPLACE MACHINERY AND EQUIPMENT USED TO UNLOAD OR PROCESS CARGO, upon second reading.

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.

Upon motion of Senator Pate, seconded by Senator Brock, the Senate adjourns at 11:30 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, and the receipt of messages from the House of Representatives, to reconvene Monday, May 23, at 4:00 p.m.

INTRODUCTION OF A BILL

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

By Senator Tucker:

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE.

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

H.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, AND GASTON COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S

May 19, 2016

DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND AND GASTON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT.

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

H.B. 970, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

Referred to the **Judiciary I Committee**.

H.B. 989, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF RED CROSS TO AUTHORIZE THE TOWN COUNCIL TO FILL A VACANCY ON THE COUNCIL AND TO CHOOSE ONE OF ITS MEMBERS TO SERVE AS MAYOR PRO TEMPORE.

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

H.B. 1023, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS.

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

H.B. 1083, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION.

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

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-FOURTH DAY

Senate Chamber
Monday, May 23, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Lord, as we come before you tonight, we ask you to open our eyes to your goodness, to your grace. We ask you to help us to rely less on our gifts and more on yours. Oftentimes, Lord, we have to be reduced in order to sense our desperate need for you. Lord, we thank you that you take delight in our reliance on you. It is in Jesus' name we pray. Amen."

Senator Apodaca announces that the Senate Journal of Thursday, May 19, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Blue, Senator Bryant, Senator J. Jackson, Senator Lowe, Senator Rucho, and Senator Woodard.

WITHDRAWALS FROM COMMITTEES

H.B. 1023, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS, referred to the **State and Local Government Committee** on May 19.

May 23, 2016

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **State and Local Government Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

S.J.R. 853, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EARLINE W. PARMON, FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on May 11.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on the calendar of Tuesday, May 24, which motion prevails with unanimous consent, and the Chair so orders.

H.B. 667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO ENSURE THAT PATIENTS HAVE THE OPTION OF SELECTING THEIR ATHLETIC TRAINER UNDER THEIR HEALTH BENEFIT PLAN, referred to the **Rules and Operations of the Senate Committee** on April 23, 2015.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Health Care Committee**, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 818 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNTS OVER TWO YEARS, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Tuesday, May 24.

The Chair extends privileges of the floor to Dr. Ken Holt from Raleigh, North Carolina, who is serving the Senate as Doctor of the Day, and to Cindy Hardin from Apex, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

May 23, 2016

By Senator Randleman for the **Judiciary II Committee**:

H.B. 357 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A WRITTEN TOXICOLOGY ANALYSIS MAY BE INTRODUCED AS EVIDENCE IN A DISTRICT COURT CRIMINAL PROSECUTION WITHOUT EXPERT TESTIMONY PROVIDED THERE IS A RIGHT TO TRIAL DE NOVO, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40630, which changes the title to read **H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PROCEDURES GOVERNING THE ADMISSIBILITY OF WRITTEN CHEMICAL ANALYSIS RESULTS, is adopted and engrossed.

SENATE PAGES

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

Bre Allen, Hamlet; Brantley Butler, Madison; Lauren Byrum, Winston-Salem; Jay Craig III, Holden Beach; Brenna Daniel, Morganton; Julia Daniel, Morganton; Louis Frink, Holly Springs; Emily Harman, Lexington; Avery Hilbert, Wilmington; Aubrey Hill, Charlotte; McCall Holland, Ocean Isle Beach; David Huffman, Stedman; Benji Jack, Cliffside; Kameron Ketner, Durham; Ben Lee, Fayetteville; Katie Marsh, Charlotte; Sarah Poole, Troy; Sydney Richmond, Raleigh; Carolina Sanchez, Burnsville; and Elise Tison, Bakersville.

Upon motion of Senator Berger, seconded by Senator Daniel, the Senate adjourns at 4:16 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Tuesday, May 24, at 2:00 p.m.

INTRODUCTION OF BILLS

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

By Senator Daniel:

S.B. 882, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE.

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

By Senator Smith:

S.B. 883, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHADBOURN TO AUTHORIZE THE TOWN COUNCIL TO APPOINT THE TOWN CLERK AND FINANCE OFFICER.

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

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By Senator Cook:

S.B. 884, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE RULES ADOPTED BY THE NORTH CAROLINA WILDLIFE RESOURCES COMMISSION.

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

By Senators Brown, Harrington, and B. Jackson (Primary Sponsors):

S.B. 885, 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 Wells, Apodaca (Primary Sponsors) and Rabin:

S.B. 886, A BILL TO BE ENTITLED AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016.

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

By Senators Wells, Apodaca (Primary Sponsors) and Rabin:

S.B. 887, A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE AND BENEFIT CHANGES TO THE RETIREMENT SYSTEM AND TO MAKE OTHER CHANGES AFFECTING THE STATE TREASURER.

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

By Senator Apodaca:

S.B. 888, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION.

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

H.B. 1030 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

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

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

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H.B. 632, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON ISSUES RELATED TO ENSURING PRIVACY OF ONLINE STUDENT DATA, referred to the **Rules and Operations of the Senate Committee** on April 23, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Education/Higher Education Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-FIFTH DAY

Senate Chamber
Tuesday, May 24, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Almighty and gracious Lord, we thank you for this day. We praise you for this General Assembly, for this state, for these leaders here to my left and to my right—these elected representatives of the people of this great state of North Carolina. We come before you, and we ask you to pour out your blessing on them. Keep us always under the shadow of your wing. It is in Jesus' name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Monday, May 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Blue and Senator Smith.

The Chair extends privileges of the floor to Karr Johnson from Leasburg, North Carolina, who is serving the Senate as Nurse of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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By Senator Sanderson for the **State and Local Government Committee**:

S.B. 748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING DATE OF THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, AS RECOMMENDED BY THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, with a favorable report.

S.B. 787, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY, with a favorable report.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF ALL AREAS IN HARNETT COUNTY EXCLUSIVE OF THE AVERASBORO TOWNSHIP AND TO AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 875, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 831, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15375, which changes the title to read **S.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND

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AUTHORIZING DUPLIN AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, is adopted and engrossed.

S.B. 852, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45502, which changes the title to read **S.B. 852** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, is adopted and engrossed.

The Committee Substitute bill is referred to the **Finance Committee**.

CONFERENCE REPORT

Senator Rucho, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 726**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, as amended by the House, submits a Conference Report for adoption.

The Conference Report is placed on the calendar of Wednesday, May 25, for adoption.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 1023, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT

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THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS, with a favorable report.

S.B. 739, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, with a favorable report.

S.B. 575 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH AND SOUTH CAROLINA, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45501, which changes the title to read **S.B. 575** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH CAROLINA AND SOUTH CAROLINA, is adopted and engrossed.

By Senator Tillman for the **Education/Higher Education Committee**:

S.B. 867, A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15374, which changes the title to read **S.B. 867** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Judiciary I Committee**.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 818 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE STANDARD DEDUCTION AMOUNTS OVER TWO YEARS, upon second reading.

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.

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S.J.R. 853, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EARLINE W. PARMON, FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

The Joint Resolution is read in its entirety.

Upon motion of Senator Brock, the words spoken on S.J.R. 853 are spread upon the journal as follows:

SENATOR LOWE: “I wanted to first say, as many of you know, Senator Earline Parmon was a dear friend of mine, and we have been friends for more than 25 years. When she got ready to run for County Commissioner—as I remember, because it was a few weeks before she got ready to run—I sat down and had dinner with her and Maisie Woodruff and one of our church members, Zelma Hopkins. I remember the meal more than I remember what we talked about because at that meal we had fried chicken, macaroni and cheese, sweet cornbread, and collard greens—Senator Apodaca, you would have loved that meal. At that time we were supposed to be planning her campaign, and Maisie Woodruff and Zelma Hopkins took over that job, and we sat in a corner and talked. It was during that time that we developed a long, long friendship. I would say, as many of you know, I am grateful for her counsel and her friendship that did not just start when I came here but has gone on for many, many years. We’ve worked in the trenches of Winston-Salem, working to make not only Winston-Salem a better place but North Carolina a better place. So I thank you for this opportunity to offer this resolution and to remember a great friend, a great lady, and a great leader in North Carolina. Thank you.”

SENATOR D. DAVIS: “To members of the Senate, to Senator Lowe, I want to thank you for bringing forth this resolution. Senator Parmon, I believe, was an outstanding North Carolinian and an outstanding American. I really had an opportunity to get to know her, interestingly, before she came to the Senate. Some may remember—this was, interestingly, after Vernon Malone had passed—I went over to actually co-chair with Senator Parmon on the Drop-out Prevention Commission. We really spent a lot of time trying to advance efforts in this state around drop-out prevention. I believe, as evidence has shown and demonstrated over time, that we did get some really meaningful results. She was very passionate about education in particular. I believe it was because she understood that education was a ticket out of many situations and a ticket of success for many kids in North Carolina. Outside of that, when she came over to the Senate, we spent a lot of time together. I think—just as we have relationships in this chamber—I think it was because we had a lot in common. We both were very involved in church. She was very, very dedicated to the church. She took pride, absolute pride—and we picked on each other a little bit—she was in the Army, and I’d been in the Air Force. To her family, just wanted to let you know we shared conversations—if you wanted to really get her beaming, you started talking about her family. She really enjoyed her family she loved, and that was very much, too, part of those dinners you were talking about, as I heard. As we reflect on Senator Parmon’s contributions to this state and to this chamber, I would say to us all that she was an outstanding person, and she’ll be known for

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many things. There is one other thing we'll put on that list that she was known for and that was her style. She was a very stylish person, and she just had her way. We as a Senate family honor her today—she was an amazing part of this family. Even though she is not physically with us now, there's no doubt in my mind that when we get into our most passionate moments here in debate and discussion, then by all means that's the spirit of Earline Parmon coming out of us. I miss her dearly, and I commend this resolution to you.”

SENATOR MCKISSICK: “Senator Parmon was one of those friends and colleagues whom I deeply admired and respected. I came to know her when she was a member of the House—before she came over to the Senate—and I appreciated her great leadership when it came to a number of bills that we shared interest in introducing. One that comes to mind, in particular, is that she was a very strong advocate for was the North Carolina Racial Justice Act. She filed it in the House; I filed it in the Senate. Eventually it was enacted, and it impacted the lives of people who are on death row and people who, at this point in time, their sentences have been changed from a sentence of death to being in prison for life without the possibility of parole. I also respected her leadership when it came to concern about eugenics victims, those eugenics victims that had lost their reproductive rights to have children, many of whom did not know that they were losing their reproductive rights. She introduced legislation on their behalf in the House, I did in the Senate, and we worked together. Working together with Speaker Tillis—when he was here, we indeed ended up with legislation that was enacted by this General Assembly, which has assisted many of those eugenics victims—many of those people who lost their reproductive rights. Those two issues I think of particularly when I think of Senator Parmon—because of her ferocious advocacy, because of her tenacity, because of her relentlessness to not give up when there were formidable challenges ahead of us on each of those matters. This chamber and this state will be better served by the fact that she has been here among us. And wherever she may be today, I can guarantee you that she continues with a shield in her hand and a sword, standing up and fighting vigorously for the principles that she believes in.”

SENATOR BRYANT: “I wanted to just stand up and make some remarks in memory of Representative and Senator Parmon—I got to serve with her in both the House and the Senate. Senator McKissick has already referenced some of her work, but I just thought about how she took on some of the hardest and most difficult issues. When she started working on eugenics, I have to admit my eyes started glazing over when she would talk to me about it. I thought, ‘Earline, you will never do anything for these eugenics victims.’ As much as I sympathized with and understood the harm that was done with them, I had no sense that she would ultimately accomplish what she did in a bi-partisan fashion as Senator McKissick mentioned. I can almost say the same thing when she started out with the Racial Justice Act in that it seemed like such a monumental hurdle to jump over. I believed and understood the racial prejudice that has long been documented in the death penalty. I understood that challenge, and yet I knew how hard it was going to be and how long it was going to take to get to

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where she and Representative Womble, Senator McKissick, and, indeed, all of us who supported that effort got. I've never seen her happier than on the day when that Racial Justice Act was passed and then when relief started being available to prisoners on death row because of that—who had been discriminated against unfairly because of race in the implementation of the death penalty. She will long be a champion for that and for taking up some of the hardest issues. Finally, on drop-out prevention—I really learned so much from her about that. I think we really made a shift, and this was her leadership, in the change in focus on high school graduation because of the drop-out prevention program that was implemented under her leadership. Part of the brilliance of that program was that we shifted the responsibility for increasing high school graduation and reducing drop-outs not to just the schools and the teachers and the State Board or DPI, but we shifted that responsibility to the communities—for them to learn about and understand what the best practices were on their parts to increase the graduation rate. That was her leadership. That was the beginning of the shift in high school graduation in North Carolina and, again, a credit to her brilliance, her vision, and her great leadership. I loved her dearly. She also was a great pinochle player. Because of that, I used to have to carry around my sheet with the rules and the numbers just so that I could pull them out and play with her when she would demand for me to play because she was so good, and I could never remember all of that. She was a wonderful person, and I loved her dearly, and she was a great public servant. Thank you.”

SENATOR ROBINSON: “I certainly want to be able to stand and say about Earline Parmon that Earline Parmon was my friend, and we all loved Earline. I knew her before I came here, before she came into the General Assembly. When she went into the House, she remained a friend of mine and others in the community. I would say, next to her family, she loved her community most. Everybody in Winston-Salem knew that if they needed an advocate, Earline Parmon and then Larry Womble, those two people, were the folks you could count on all the way from education to health. Both of us ran non-profits, so we often talked about the ills in communities that kept people from thriving and surviving and then getting a lift-up to keep on making it. Education was just one of those primary things. Earline loved that dearly and would do whatever she could. She supported those causes because she loved people, and she supported people and their opportunity to be the very best they could be. That’s what I think about. Just one quick, funny story—I remember when I came to the Senate, and Earline and Alma and all those in the House said, ‘Well, O.K., Senator Robinson, you’re over there in the Senate, and they don’t let you say anything over there, so if you want to talk you need to come over to the House.’ So I remember when Earline came to the Senate, and I said to her, ‘Earline, you’ve been sitting over there mighty quietly. This is the Senate, but I haven’t heard you talk as much as you talked in the House,’ and so we had a little joke going back and forth because I finally said to her, ‘well, in the House, it’s just that everybody hadn’t said everything, and in the Senate we know we say it once or twice, and then we’re going to go on and vote on it.’ We laughed about that in terms of what went on in both the House and the Senate. I really enjoyed the

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camaraderie and trying to really make North Carolina work for everybody. We all loved Earline; I loved Earline. To her community, her family, we want to thank you for sharing her with us and with the community, and I certainly commend the resolution to you. Thanks, Senator Lowe, for bringing it forward.”

SENATOR FOUSHEE: “Members and visitors in the gallery, I am grateful for the privilege to speak in honor of Senator Earline Parmon. Some of you may know that before coming to the General Assembly I served as a County Commissioner, as did Senator Parmon. It was as a County Commissioner that I was first introduced to her. Immediately, I was impressed with the vim and vigor and the vitality with which she approached and did her work. It was not enough for her just to be present, but she had to participate. She had a style and a grace that was distinct, and it was that style that led her peers at the North Carolina Association of County Commissioners to appoint her to the Board of Directors for three terms and as chair of the Criminal Justice Steering Committee for a term. She also served as chair of the county caucus here in the General Assembly in the last biennium. It was a style and a grace that, as they say, was often imitated but never duplicated. For her, it was never about Commissioner Parmon or Representative Parmon or Senator Parmon; it wasn’t even about Earline. For her, it was always, always, always about the people. For that and many other reasons, I am proud to honor her today, and I do, indeed, commend the resolution to you.”

SENATOR APODACA: “Members, I would be remiss if I didn’t make some comments about Earline. We probably spent more time together than anybody else in this room. We both possessed the love of tobacco products back in the good old days and before heart surgery and other things. Earline was always, always great company and great conversation. I’ll be honest with you, we settled about every problem in North Carolina over a pack of Marlboro Lights, and I can’t remember what she smoked, but we did enjoy it. We went through the loss of her husband, whom she loved very much, and we always discussed family. Family was always the top of the list, and we enjoyed sharing stories on both. Then we would delve into issues, and it was just a great experience. When she came to the Senate, I told her that her chances of going to heaven were much better because she was closer to heaven in the Senate. I miss her dearly, especially when I look at her replacement every day. But, seriously, she was an incredible lady and an advocate for those who needed advocacy, and she is missed. Thank you, Mr. President. I recommend the resolution to you.”

SENATOR VAN DUYN: “Unfortunately, my first session was Senator Parmon’s last, and one of my biggest regrets is that I didn’t take advantage of that year to get to know her better. Senator Parmon was quoted as saying, ‘let the work I’ve done speak for me,’ and I think what we’ve heard today is she did an awful lot of very important work. Senator Parmon believed in making waves, and with each small, methodical step she initiated a flood of lasting progress on her community and throughout this state. Senator Parmon understood the interconnectivity of the challenges that we face, and, more importantly, she

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understood the personal adversity that faced each and every one of her constituents as they battled rising health care costs, an increasingly under-budgeted education system, and an economic system that, all too frequently, left them behind. I commend Senator Lowe for bringing forth this acknowledgement of Senator Parmon's life and her lasting legacy on North Carolina. As the Senate Democratic Whip I call on each of you to offer your support for this resolution."

SENATOR NEWTON: "Members, I'm sure some of you are a little surprised that I might be rising to speak to this resolution because I didn't know Senator Parmon as well as some of you did, but I feel compelled to speak because, Senator Davis, you said something in your remarks that reminded me again of a situation. I call it a situation because I think that's probably the best description of it. Senator Parmon, I believe, was a great Christian lady. She was a great Christian lady. I tell this story about her because it doesn't reflect well upon me, but it reflects very well upon her. We had a particularly difficult debate in the chamber one day, I believe we were discussing and debating an abortion bill, and it got particularly heated in here. It wasn't anything that Senator Parmon and I said to each other, but I was sitting over there and Senator Parmon sat behind us. Senator Daniel, you may remember this because I think you might have been standing there, but as soon as the debate was over and we were done with session, Senator Parmon said something to me about the bill. I know now, and very clearly, that what she said wasn't that bad; it was probably a little bit not quite the tone that she was looking for. In a light that was very unflattering to me, I responded in a way that I should not have responded. What I said wasn't that bad, it was the way I said it that was bad, so we had this little tiff. The next day I was in the cafeteria downstairs, and I saw Senator Parmon come in. She turned, and she looked at me, and I looked at her, and we made eye contact, and she made a beeline to me before I could take a step forward. She made it very clear how sorry she was and how, as a Christian, she should not have presented that way. I was so embarrassed. I was so embarrassed because I should have been the one who was there doing that. We had a good moment, and we both recognized that as we get passionate about issues here—which she was—her belief and her faith would not allow her to continue to carry on and have that kind of relationship with me about something that we both felt so passionately about even though we disagreed. I felt compelled to offer you that story today because I just thought the world of her after that. I'm sorry I didn't get to know her that well. I commend the resolution to you."

SENATOR DANIEL: "Like some of you who have not served in the House, I also did not get the chance to know Senator Parmon as well as I would have liked. I think she served here for around two years. You'd think that that was a long time for anybody to get to know someone, but the truth is we're all so busy dealing with our constituent issues and the things that we're trying to get accomplished in the legislature that sometimes we overlook our personal relationships more than we should. The reason that I wanted to speak today and felt, similar to Senator Newton, that I should is that my two daughters are here paging today. For them and for the other young pages that are here, I wanted to

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maybe try to help you learn a lesson about government and about service. I know you didn't have a copy of the resolution in front of you, but as we were going through it, and Mr. Settle was reading it, I noticed that Senator Parmon had served 12 years on a County Commission, and she had served approximately 12 years in the legislature. She dedicated a quarter of a century of her life to public service, and probably none of us know the amount of sacrifice that that took. We have Memorial Day that's coming up in a few days. That's the day that we take to remember the sacrifices of people that we didn't know who've made great contributions to our country and securing our freedom. For the young people in the audience, the Senate is not an eternal body, but it is an enduring body. It's made up of people who each contribute to it in their own way over the course of time. I know that over the time that I've been here, we've lost a number of our members who contributed a great deal to this institution. It's on days like this when we have the opportunity to pause for a moment and to remember the contribution that people with temporary lives contribute to an enduring body, and by doing that they contribute to the goodness of this state and to the service of our people. That's the lesson I want my daughters to learn and the young people here to learn today. Try to seek the opportunity to serve your fellow community members and your fellow citizens. Seek those opportunities throughout your life, and emulate the example that people like Senator Parmon have done in their lives."

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.

H.B. 357 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PROCEDURES GOVERNING THE ADMISSIBILITY OF WRITTEN CHEMICAL ANALYSIS RESULTS, upon second reading.

Senator J. Jackson 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 in the Senate Committee Substitute bill.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 774, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45493, which changes the title to read **S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, is adopted and engrossed.

Upon motion of Senator Berger, seconded by Senator Lowe, the Senate adjourns at 3:09 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Wednesday, May 25, at 9:30 a.m.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TUITION WAIVER FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS AND CERTAIN OTHERS ALSO APPLIES TO CHILDREN WHOSE LEGAL GUARDIANS OR LEGAL CUSTODIANS ARE LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS, referred to the **Education/Higher Education Committee** on July 15, 2015.

The Committee Substitute bill is withdrawn from the **Education/Higher Education Committee** and re-referred to the **Judiciary I Committee**.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, referred to the **Judiciary I Committee** on May 24.

The Committee Substitute bill is withdrawn from the **Judiciary I Committee** and re-referred to the **Finance Committee** and upon a favorable report will be re-referred to the **Judiciary I Committee**.

S.B. 770, A BILL TO BE ENTITLED AN ACT TO PROVIDE ENFORCEMENT AUTHORITY ASSOCIATED WITH THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION, referred to the **Agriculture/Environment/Natural Resources Committee** on April 28.

A sequential referral to the **Judiciary II Committee** is added.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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By Senator Tillman for the **Education/Higher Education Committee**:

H.B. 632, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ON ISSUES RELATED TO ENSURING PRIVACY OF ONLINE STUDENT DATA, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40631, which changes the title to read **H.B. 632** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT STUDENT ONLINE PRIVACY, is adopted and engrossed.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, referred to the **Education/Higher Education Committee** on May 19.

The bill is withdrawn from the **Education/Higher Education Committee** and re-referred to the **State and Local Government Committee**.

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, referred to the **Finance Committee** on May 24, with a sequential referral to the **Judiciary I Committee**.

The Committee Substitute bill is withdrawn from the **Finance Committee** and re-referred to the **Judiciary I Committee** and upon a favorable report will be re-referred to the **Finance Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-SIXTH DAY

Senate Chamber
Wednesday, May 25, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Mighty God, set our minds on things that are above. Might that help us today with our work. Might that give us a new imagination for complicated and complex work in government. Give us vision and greater imagination. It is in Jesus’ name we pray. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

ENROLLED BILL AND A RESOLUTION

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

H.B. 474, AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK-OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS.

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. 853, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EARLINE W. PARMON, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2016-7)

The Senate recesses at 9:34 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene at 2:30 p.m.

RECESS**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

May 25, 2016

By Senator Barefoot for the **Education/Higher Education Committee**:

S.B. 873, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES DESIGNED TO MAKE PUBLIC HIGHER EDUCATION MORE AFFORDABLE IN ACCORDANCE WITH THE STATE CONSTITUTIONAL MANDATE THAT THE BENEFITS OF PUBLIC HIGHER EDUCATION, AS FAR AS PRACTICABLE, BE EXTENDED TO THE PEOPLE OF THE STATE FREE OF EXPENSE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15379, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

By Senator Tarte for the **Information Technology Committee**:

S.B. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, with a favorable report.

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

The Chair extends privileges of the floor to Dr. Fletcher Lee Hartsell from Durham, North Carolina, who is serving the Senate as Doctor of the Day, and to Chelsey Baughard from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

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

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Wade for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 770, A BILL TO BE ENTITLED AN ACT TO PROVIDE ENFORCEMENT AUTHORITY ASSOCIATED WITH THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

May 25, 2016

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15378, which changes the title to read **S.B. 770** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Judiciary II Committee**.

By Senator Tarte for the **Information Technology Committee**:

S.B. 792, A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15380, is adopted and engrossed.

A SENATORIAL STATEMENT

Senator Barringer submits a Senatorial Statement out of order entitled, **RECOGNIZING LARRY B. PERKINS**. The full text can be found in the Appendix. (See pg. 412)

CALENDAR

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

S.B. 739, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard--49.

Voting in the negative: None.

The bill remains on the calendar for Thursday, May 26, upon third reading.

S.B. 774 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, upon second reading.

May 25, 2016

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---49.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, May 26, upon third reading.

S.B. 787, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY, upon second reading.

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. 831 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, upon second reading.

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.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff to join Senator Tucker on the Senate chamber floor while **S.B. 575** is being considered.

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CALENDAR *(continued)*

S.B. 575 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH CAROLINA AND SOUTH CAROLINA, upon second reading.

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---49.

Voting in the negative: None.

The Committee Substitute bill No. 2 remains on the calendar for Thursday, May 26, upon third reading.

S.B. 748, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REPORTING DATE OF THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, AS RECOMMENDED BY THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, upon second reading.

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.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 632 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT STUDENT ONLINE PRIVACY, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Thursday, May 26.

CALENDAR *(continued)*

H.B. 1023, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE

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DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS, upon second reading.

The bill passes its second reading (49-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled and sent to the Governor.

S.B. 726 (Conference Report), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015, for adoption.

Upon motion of Senator Rucho, the Senate adopts the Conference Report (38-11).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

Upon motion of Senator Berger, seconded by Senator Gunn, the Senate adjourns at 3:27 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Thursday, May 26, at 11:00 a.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 25, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 726** (Conference Report), A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015.

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When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 726 earlier today, the bill is ordered enrolled and sent to the Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION.

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

H.B. 964, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND.

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

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A JOINT COMMITTEE TO STUDY THE UNFUNDED LIABILITY OF THE RETIREE HEALTH BENEFIT FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FAIRNESS AND EQUITY OF THE PROPERTY INSURANCE RATE-MAKING PROCESS BY PROVIDING FOR GREATER TRANSPARENCY REGARDING THE ROLE OF CATASTROPHE MODELING IN PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THAT MODELED LOSSES IN A PROPERTY RATE FILING BE PROPERLY ALLOCABLE TO NORTH CAROLINA, AND BY REQUIRING THE RATE BUREAU TO DESIGNATE IN A FILING THAT PORTION OF THE RATE IN EACH TERRITORY ALLOCABLE TO WIND AND HAIL, referred to the **Rules and Operations of the Senate Committee** on March 26, 2015.

May 25, 2016

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Commerce Committee** and upon a favorable report will be re-referred to the **Judiciary I Committee**.

H.B. 169 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT COUNTIES IN WHICH MOTOR VEHICLE EMISSIONS INSPECTIONS ARE REQUIRED, referred to the **Transportation Committee** on July 22, 2015.

The Committee Substitute bill No. 2 is withdrawn from the **Transportation Committee** and re-referred to the **Commerce Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 873 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES DESIGNED TO MAKE PUBLIC HIGHER EDUCATION MORE AFFORDABLE IN ACCORDANCE WITH THE STATE CONSTITUTIONAL MANDATE THAT THE BENEFITS OF PUBLIC HIGHER EDUCATION, AS FAR AS PRACTICABLE, BE EXTENDED TO THE PEOPLE OF THE STATE FREE OF EXPENSE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 15382, is adopted and engrossed.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF MOTIONS FOR APPROPRIATE RELIEF, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, referred to the **Rules and Operations of the Senate Committee** on May 16.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary II Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

May 25, 2016

ONE HUNDRED FIFTY-SEVENTH DAY

Senate Chamber
Thursday, May 26, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, thank you for gathering us here today under your wing. Father, bring order here. It is your joy to bring order. You created the heavens and the earth, so this is easy for you. Would you open our ears and hearts? Make a way for us pilgrims. Meet us here on this solid ground. Bless those that we serve. In Jesus’ name we pray. Amen.”

Senator Apodaca announces that the Senate Journal of Wednesday, May 25, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

The Chair extends privileges of the floor to Dr. John K. Williford, Jr., from Charlotte, North Carolina, who is serving the Senate as Doctor of the Day, and to Shannon McLoughlin from Winston-Salem, North Carolina, who is serving the Senate as Nurse of the Day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 71 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on today’s calendar.

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H.J.R. 1141, A JOINT RESOLUTION HONORING OUR SERVICE MEMBERS DURING THE OBSERVANCE OF MEMORIAL DAY.

Upon motion of Senator Apodaca, the rules are suspended and the Joint Resolution is placed on today's calendar.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Newton for the **Judiciary I Committee**:

S.B. 805, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Upon motion of Senator Apodaca, the bill is placed on the calendar of Tuesday, May 31.

The Senate recesses at 11:14 a.m. to reconvene at 11:30 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 873 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES DESIGNED TO MAKE PUBLIC HIGHER EDUCATION MORE AFFORDABLE IN ACCORDANCE WITH THE STATE CONSTITUTIONAL MANDATE THAT THE BENEFITS OF PUBLIC HIGHER EDUCATION, AS FAR AS PRACTICABLE, BE EXTENDED TO THE PEOPLE OF THE STATE FREE OF EXPENSE, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill No. 2 is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

MOTION RELATIVE TO A FUTURE CALENDAR

Upon motion of Senator Apodaca, without objection, all bills that would typically be on the calendar of Friday, May 27 will be placed on the calendar of Tuesday, May 31.

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REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Daniel for the **Judiciary II Committee**:

H.B. 995, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF MOTIONS FOR APPROPRIATE RELIEF, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, with a favorable report.

Upon recommendation of Senator Daniel, the bill is re-referred to the **Appropriations/Base Budget Committee**.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 71 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 71 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO

May 26, 2016

THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER, for concurrence in the House Committee Substitute bill.

Senator J. Jackson is excused from voting on the bill due to a professional conflict.

Upon motion of Senator Apodaca, the Senate fails to concur in the House Committee Substitute bill (0-47) and the House of Representatives is notified by special message.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 71, Senator Apodaca announces the President *Pro Tempore's* appointment of Senator Apodaca, Chair; Senator Harrington and Senator Wells as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

S.B. 739, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 774 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

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S.B. 575 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH CAROLINA AND SOUTH CAROLINA, upon third reading.

The Chair grants a leave of absence for the remainder of today's session to Senator Smith-Ingram.

Senator Tucker offers Amendment No. 1, which is adopted (48-0).

The Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 792 (Committee Substitute), A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS, upon second reading.

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. 814, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, upon second reading.

The 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.

H.B. 632 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT STUDENT ONLINE PRIVACY, upon second reading.

Senator Barefoot offers Amendment No. 1, which is adopted (48-0).

Senator Barefoot offers Amendment No. 2, 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 in the Senate Committee Substitute bill.

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H.J.R. 1141, A JOINT RESOLUTION HONORING OUR SERVICE MEMBERS DURING THE OBSERVANCE OF MEMORIAL DAY, upon second reading.

The Joint Resolution is read in its entirety.

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.

A SENATORIAL STATEMENT

Senator Cook submits a Senatorial Statement entitled, **RECOGNIZING THE 300TH ANNIVERSARY OF PORT BATH**. The full text can be found in the Appendix. (See pg. 413)

Upon motion of Senator Berger, seconded by Senator Rabin, the Senate adjourns at 12:26 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Friday, May 27, at 10:00 a.m.

INTRODUCTION OF A BILL

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

By Senators Brock, Newton, J. Davis (Primary Sponsors); Alexander, McInnis, Rabin and Rabon:

S.B. 889, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROTECT THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE.

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:

S.B. 838 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, for concurrence in the House Committee Substitute bill.

Pursuant to the motion by Senator Apodaca, the House Committee Substitute bill is placed on the calendar of Tuesday, May 31.

H.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016.

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

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REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Newton for the **Judiciary I Committee**:

S.B. 867 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45506, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the **Finance Committee**.

By Senator Daniel for the **Judiciary II Committee**:

H.B. 817, A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2015, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10542, which changes the title to read **H.B. 817** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016, is adopted and engrossed.

Pursuant to the motion by Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Tuesday, May 31.

S.B. 770 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45504, is adopted and engrossed.

Upon recommendation of Senator Daniel, the Committee Substitute bill No. 2 is re-referred to the **Finance Committee**.

By Senator Gunn for the **Commerce Committee**:

H.B. 169 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO LIMIT COUNTIES IN WHICH MOTOR VEHICLE EMISSIONS INSPECTIONS ARE REQUIRED, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

May 26, 2016

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10541, which changes the title to read **H.B. 169** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, is adopted and engrossed.

Pursuant to the motion by Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Tuesday, May 31.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-EIGHTH DAY

Senate Chamber
Friday, May 27, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Kathy Harrington, Senator from Gaston County.

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Father, thank you for this day and this weekend of memorial day, where we think about the men and women of days of the revolution all the way until today in Iraq and Afghanistan. Thank you for their ultimate sacrifice, and we thank you for the scripture that reminds us, 'no greater love is there than to lay down our life for our friends.'* It is in Jesus' name we pray. Amen."

*John 15:13 (paraphrase)

Senator Chaudhuri announces that the Senate Journal of Thursday, May 26, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

Upon motion of Senator Chaudhuri, seconded by Senator Harrington, the Senate adjourns at 10:17 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Tuesday, May 31, at 9:00 a.m.

ENROLLED BILLS AND A RESOLUTION

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

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S.B. 726, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015.

H.B. 1023, AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS.

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. 1141, A JOINT RESOLUTION HONORING OUR SERVICE MEMBERS DURING THE OBSERVANCE OF MEMORIAL DAY. (Res. 2016-8)

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

STATE OF NORTH CAROLINA OFFICE OF THE GOVERNOR

PAT McCRORY
GOVERNOR

May 26, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

May 27, 2016

Pursuant to North Carolina General Statute § 106-2, I am pleased to recommend the following individual to serve as a member of the North Carolina Board of Agriculture for confirmation by the North Carolina Senate:

- Dr. Ben A. Shelton, III of Iredell County, Seat 4-Dairy/Cattle Farmer

Attached you will find biographical information for the appointee. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory

cc: Ms. Sarah Lang, Senate Principal Clerk

The message is referred to the **Select Committee on Nominations**.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

S.B. 857, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LIMITATION ON FUNDING FROM THE HIGHWAY TRUST FUND FOR LIGHT RAIL TRANSIT SYSTEM PROJECTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS, referred to the **Transportation Committee** on May 11, with a sequential referral to the **Appropriations/Base Budget Committee**.

The sequential referral to the **Appropriations/Base Budget Committee** is removed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 27, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 71 House Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT

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AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER, and requests conferees, Speaker Moore has appointed:

Representative McGrady, Chair and
Representative J. Bell, Vice Chair

on the part of the House of Representatives 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

Pursuant to Senator Chaudhuri's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED FIFTY-NINTH DAY

Senate Chamber
Tuesday, May 31, 2016

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

The Senate recesses at 9:01 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 5:00 p.m.

RECESS

CONFERENCE REPORT

Senator Apodaca, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 71** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK

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CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill S71-PCCS45507-RI-3.

The Conference Report is placed on today's calendar, for adoption.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 1030 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, referred to the **Appropriations/Base Budget Committee** on May 23.

A sequential referral to the **Finance Committee** is added, and upon a favorable report the bill will be re-referred to the **Pensions & Retirement and Aging Committee**.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
May 31, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 71** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF MCCRORY V. BERGER.

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When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 469, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF SUNSET BEACH TO ALLOW THE TOWN TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED, with a favorable report.

S.B. 733, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PROCTORVILLE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, with a favorable report.

S.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, with a favorable report.

S.B. 867 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, with a favorable report.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF ALL AREAS IN HARNETT COUNTY EXCLUSIVE OF THE AVERASBORO TOWNSHIP AND TO AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX, with a favorable report.

S.B. 875, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH, with a favorable report.

S.B. 727, A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15383, is adopted and engrossed.

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By Senator Gunn for the **Commerce Committee**:

H.B. 151 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FAIRNESS AND EQUITY OF THE PROPERTY INSURANCE RATE-MAKING PROCESS BY PROVIDING FOR GREATER TRANSPARENCY REGARDING THE ROLE OF CATASTROPHE MODELING IN PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THAT MODELED LOSSES IN A PROPERTY RATE FILING BE PROPERLY ALLOCABLE TO NORTH CAROLINA, AND BY REQUIRING THE RATE BUREAU TO DESIGNATE IN A FILING THAT PORTION OF THE RATE IN EACH TERRITORY ALLOCABLE TO WIND AND HAIL, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40634, which changes the title to read **H.B. 151** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Judiciary I Committee**.

By Senator Apodaca for the **Select Committee on Nominations**:

H.J.R. 1018, A JOINT RESOLUTION CONFIRMING THE GOVERNOR'S REAPPOINTMENT OF RAYMOND E. GRACE TO THE OFFICE OF COMMISSIONER OF BANKS, with a favorable report.

The Senate meets pursuant to recess and is called to order by The Honorable Phil Berger, President *Pro Tempore*.

Prayer is offered by Mr. Josh Grant, Research Assistant for Senator Kathy Harrington, as follows:

“Father, as we stand in this esteemed place, we are bowed down. Your word reminds us that we are but dust, yet it also declares that you alone are enthroned forever. Of old you laid the foundation of the earth, and the heavens are the work of your hands. Father, you will be remembered through all generations, and may this be the confidence that we have tonight—that you are in need of nothing, but choose to demonstrate your love for us through the death and resurrection of your only son. In our celebration and thanksgiving of those who have sacrificed so that we may know freedom in this land, Father, you are our example first—that you

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would lay down your life for others. And so, even now, where we are imperfect people in an imperfect world, have mercy on your servants, and dwell richly among us. We ask these things in your name alone. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Friday, May 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bingham and Senator Tarte.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today’s calendar:

H.B. 169 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today’s calendar and re-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. 805, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, upon second reading.

The 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.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today’s calendar:

H.B. 817 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today’s calendar and placed on the calendar of Wednesday, June 1.

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CALENDAR *(continued)*

S.B. 838 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hise, the Senate fails to concur in the House Committee Substitute bill (0-48) and the House of Representatives is notified by special message.

S.B. 71 (Conference Report) A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF *MCCRORY V. BERGER*, for adoption.

Senator J. Jackson is excused from voting on the bill due to a professional conflict.

Upon motion of Senator Apodaca, the Senate adopts the Conference Report (46-1).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

Pursuant to the message received earlier today that the House of Representatives adopted the Conference Report for S.B. 71, the bill is ordered enrolled and sent to the Governor.

SENATE PAGES

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

Tanner Bailey, Wilkesboro; Jorren Biggs, Durham; Mable Blount, Greenville; William Blount, Jr., Greenville; Lucy Church, Raleigh; Will Farthing, Harrisburg; Jared Forbes, Wake Forest; Margaret Fountain, Raleigh; Audrey Frye, Charlotte; David Garrett, Greensboro; Hope Harrington, Garner; Michael Hughes, Raleigh; Ellis Matthews, Reidsville; KrisAnna McLamb, Benson; Campbell McLauchlan, Fuquay-Varina; Mattheos Meliones, Raleigh; Conrad Ruff, Forest City; Jack Sabye, Cary; India Tisdale, Bethany; Anna Scott Wingfield, Nashville; Ellis Woodyard, Raleigh; and Jared Yates, North Wilkesboro.

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Upon motion of Senator Pate, seconded by Senator Rucho, the Senate adjourns at 5:32 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Wednesday, June 1, at 9:00 a.m.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 657 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE ESTABLISHMENT OF A FIXED TUITION PROGRAM AS A PAYMENT OPTION AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, referred to the **Rules and Operations of the Senate Committee** on April 22, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Education/Higher Education Committee**.

H.B. 242 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENEED AND TO CLARIFY THAT RECORDS GATHERED BY AN INVESTIGATIVE GRAND JURY ARE PART OF THE FILE OF THE PROSECUTOR'S OFFICE AND SUBJECT TO DISCLOSURE TO THE DEFENDANT, referred to the **Rules and Operations of the Senate Committee** on March 30, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Education/Higher Education Committee**.

ADDITIONAL SPONSOR

Senator Cook requests to be added as a co-sponsor of previously introduced legislation:

S.B. 889, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROTECT THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

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ONE HUNDRED SIXTIETH DAY

Senate Chamber
Wednesday, June 1, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

The Senate recesses at 9:02 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 5:00 p.m.

RECESS**REPORTS OF COMMITTEES**

Standing committee reports are submitted as follows:

By Senator B. Jackson for the **Appropriations/Base Budget Committee**:

H.B. 1030 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill, as amended, unengrossed.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40636, with attached Amendments No. 1 and No. 2, is adopted.

Pursuant to Rule 43, the Senate Committee Substitute bill, as amended, unengrossed, is re-referred to the **Finance Committee**.

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

H.B. 1030 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, with a favorable report, as amended, with Amendments No. 1, No. 2, and No. 3.

Pursuant to Rule 45.1, Committee Amendment No. 3 is adopted.

Pursuant to Rule 43, the Senate Committee Substitute bill, as amended, unengrossed, is re-referred to the **Pensions & Retirement and Aging Committee**.

June 1, 2016

ENROLLED BILLS

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

S.B. 71, AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF *MCCRORY V. BERGER*.

H.B. 357, AN ACT TO AMEND PROCEDURES GOVERNING THE ADMISSIBILITY OF WRITTEN CHEMICAL ANALYSIS RESULTS.

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, make haste to help us; come quickly to our aid. Bless us here from my left to my right. Bless our families, bless our work here, and bless even our intentions, heavenly father. We ask you to rest upon us through your presence. It is in Jesus’ name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, May 31, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bryant, Senator D. Davis, Senator Robinson, Senator Smith-Ingram, and Senator Van Duyn.

A SENATORIAL STATEMENT

Senator J. Davis submits a Senatorial Statement entitled, **RECOGNIZING JACKSON COUNTY AS THE PREMIER TROUT FISHING DESTINATION IN NORTH CAROLINA**. The full text can be found in the Appendix. (See pg. 414)

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REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

H.B. 1030 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, with an unfavorable report as to the Senate Committee Substitute bill, as amended, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30509, is adopted and engrossed.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 817 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Wednesday, June 8.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 727 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Sanderson, Smith, Tarte, Tillman, Tucker, Waddell, Wade, Wells and Woodard---44.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, June 2, upon third reading.

June 1, 2016

S.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Sanderson, Smith, Tarte, Tillman, Tucker, Waddell, Wade, Wells and Woodard---44.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, June 2, upon third reading.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF ALL AREAS IN HARNETT COUNTY EXCLUSIVE OF THE AVERASBORO TOWNSHIP AND TO AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Waddell, Wade, Wells and Woodard---45.

Voting in the negative: None.

The bill remains on the calendar for Thursday, June 2, upon third reading.

S.B. 875, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 43, noes 2, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Tarte, Tillman, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: Senators Apodaca and Tucker---2.

The bill remains on the calendar for Thursday, June 2, upon third reading.

June 1, 2016

S.B. 733, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF PROCTORVILLE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER SERVICES, upon second reading.

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. 469, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF SUNSET BEACH TO ALLOW THE TOWN TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.B. 867 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, upon second reading.

Upon the appearance of Senator D. Davis, Senator Robinson, and Senator Smith-Ingram in the chamber, the Chair acknowledges their presence and the leaves of absence granted previously are withdrawn.

The Committee Substitute bill No. 2 passes its second reading (48-0).

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill No. 2 placed on the calendar of Thursday, June 2, upon third reading.

H.J.R. 1018, A JOINT RESOLUTION CONFIRMING THE GOVERNOR'S REAPPOINTMENT OF RAYMOND E. GRACE TO THE OFFICE OF COMMISSIONER OF BANKS, upon second reading.

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.

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 838 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 838 on May 31, Senator Louis Pate, Deputy President *Pro Tempore*, announces the President *Pro Tempore's* appointment of Senator Hise, Chair; Senator Pate, Senator Cook, Senator Tucker, Senator Sanderson and Senator Woodard as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

June 1, 2016

Upon motion of Senator Berger, seconded by Senator Apodaca, the Senate adjourns at 5:32 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Thursday, June 2, at 10:00 a.m.

INTRODUCTION OF A BILL

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

By Senator Smith:

S.B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MARIETTA TO HOLD MUNICIPAL ELECTIONS EVERY FOUR YEARS.

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

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-FIRST DAY

Senate Chamber
Thursday, June 2, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Father in heaven, we thank you for this day. We thank you for your grace. As we come and go from this place, from this building, Lord, you are able to keep us from falling, and only you can do that. Give these friends here hope as they struggle through the budget. As we enter into that mess, you enter into it with us. You make us worthy because your arm of grace keeps us. We pray in Jesus' name. Amen."

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 1, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bryant and Senator Newton.

June 2, 2016

The Chair extends privileges of the floor to Daniella Fatti from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS AND A RESOLUTION

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

H.B. 632, AN ACT TO PROTECT STUDENT ONLINE PRIVACY.

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

H.B. 469, AN ACT AMENDING THE CHARTER OF THE TOWN OF SUNSET BEACH TO ALLOW THE TOWN TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED.

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. 1018, A JOINT RESOLUTION CONFIRMING THE GOVERNOR'S REAPPOINTMENT OF RAYMOND E. GRACE TO THE OFFICE OF COMMISSIONER OF BANKS. (Res. 2016-9)

CALENDAR

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

S.B. 727 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 47, noes 1, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---47.

Voting in the negative: Senator Ford---1.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 852 (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, upon third reading.

June 2, 2016

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 874, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; AND TO CREATE A SPECIAL TAXING DISTRICT MADE UP OF ALL AREAS IN HARNETT COUNTY EXCLUSIVE OF THE AVERASBORO TOWNSHIP AND TO AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY A SIX PERCENT ROOM OCCUPANCY TAX, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 875, A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE TOWN OF SUNSET BEACH, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Waddell, Wade, Wells and Woodard---45.

Voting in the negative: Senators Apodaca, Tucker and Van Duyn---3.

The bill is ordered sent to the House of Representatives.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

June 2, 2016

S.B. 867 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, upon third reading.

Upon motion of Senator Apodaca, the Committee Substitute bill No. 2 is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR *(continued)*

S.B. 867 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE AND SCHOOL PERSONNEL EMPLOYMENT, upon third reading.

The Committee Substitute bill No. 2 passes its third reading (48-0) and is ordered sent to the House of Representatives.

The Senate recesses at 10:17 a.m. to reconvene at 10:30 a.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff on the Senate chamber floor while **H.B. 1030** is being discussed.

CALENDAR *(continued)*

H.B. 1030 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, upon second reading.

Senator Barringer is excused from voting on the bill, and she submits the following statement: "As specifically set forth in North Carolina General Statute Section 138A-37 (the rules governing each legislator's participation in legislative activities), I have a conflict of interest that requires that I recuse myself from debating or voting on the North Carolina Budget (HB 1030) in any fashion. Section 14.13(c) contains a direct appropriation to the Chancellor of the University of North Carolina at Chapel Hill, which I serve as a clinical professor and a full-time employee. I take very seriously my responsibilities and the ethics of the office of senator, so, due to this direct conflict of interest, I have to recuse myself from the entire budget process."

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Upon motion of Senator Apodaca, without objection, Senator Rucho's words on H.B. 1030 are spread upon the journal as follows:

SENATOR RUCHO: “On this Finance package, we spent a lot of time in Finance explaining these, but let me talk briefly about them. The first provision increases standard deduction by \$2,000 over a two-year tax period. We discussed that at length as to the advantage of the middle class tax cut, and it puts monies directly back into the pockets of those individuals. Nearly 80% of the married filing jointly will receive that money directly, and it will be a huge plus for them and for the economy. We did both unanimously, I believe, on that bill, so I'll move on to the second. It includes parts and accessories of specialized equipment used to unload and process bulk cargo. This was a portion of a bill that we passed last time that was omitted, and it allows for the use of Article 5 tax base on those parts. The third provision that we have deals with market based sourcing of multi-state tax apportionment. We talked about that, I believe, this past week, and it talks about being effective, I believe, in January of 2018. What it does, ladies and gentlemen, is it clearly helps clarify what or how much—or determines how much—tax liability a multi-state corporation would have in North Carolina and/or any other state. This is part of the simplification and clarification process, and, more importantly, going along with single sales factor, which we passed in the previous budget, which helps attract and incentivize manufacturing businesses to come to North Carolina. Market-based sourcing is the tool that gives us the ability to incentivize and bring in service businesses, high-tech businesses, and the like into North Carolina. Therefore, we would be well-served in moving forward in this direction. We've had agreements with most every business—Duke, local Time-Warner, banks, etc.—recognizing that market-based sourcing as to where that service is actually used is a very simple way, far different than the complicated process we have. The only opposition that we've been able to identify has been discussed in previous meetings, and I'll just remind you that the national billion dollar broadcasting industry is in opposition to what is 'audience factor' in market-based sourcing. Ladies and gentlemen, I've talked about it before, but I'll just reiterate an important point. The 'audience factor' is the clearest way to determine where that service is being delivered, and that means wherever Senator Apodaca gets Netflix or I get Time Warner or any of that stuff is the clearest way that it should be determined. The 'audience factor' is done in 18 states; it is very advantageous. It is utilized in states like New York, Connecticut, California, and Georgia, where it is a tax advantage for these multi-billion national broadcasters. In North Carolina, because of the fact that a private letter ruling was issued on, I think it was December 28, 2012, which is, I think, the last couple days of one of the previous administrations. I was talking with Senator Apodaca about it—that was two days before the end of the year. I find it interesting that that much work was done by many of our qualified state employees in the last two days of December, so that was a real move to get this private letter ruling in place. In a private letter ruling, what it does is it actually determines, or the Department of Revenue tells the taxpayer, how they will apportion this. Well, in this private letter ruling it clearly states that the tax liability in the state of North Carolina

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will depend on where the contract is signed. The contracts never seem to get signed in North Carolina, so therefore the tax liability for this industry—multi-billion dollar industry—actually is very small in our state. In this situation, I asked one of our staff members to look at it in 2014. The industry generated nationally about \$200 billion in revenue and created \$40 billion in profit. Looking at North Carolina, what you have in that situation is roughly a 3% portion of the audience in the entire nation, so that's about \$1.2 billion of profit in the state of North Carolina. With this private letter ruling that was established and has been used elsewhere in the states to try to cut a special deal like this, the total tax liability is \$3 million on \$1.2 billion. Now, to most normal folks, they'd say that's a little outrageous, but I guess in reality it's just a matter of fairness, recognizing that a lot of tax dollars or revenue leaves the state of North Carolina. We can't fund our school teachers' salary increases and our education and the other major parts of our court system with a mere \$3 million, so this is a matter of fairness, and so I hope that you all will believe that in reality, as a matter of fairness, that corporations should pay a fair share. Every other corporation in the state pays what is the rate; this time it's four, next year it will be 3, but at \$3 million, that is a .025% corporate tax rate. You can't get much closer to zero. O.K., well we'll go on to the next one dealing with sales tax. The General Assembly was given the responsibility—Senator Apodaca, I'm trying. It's my last chance, you know.

(Laughter/Applause)

“You'll miss me, Apodaca! The last part was dealing with a sales tax issue, and I know most of us have had a number of calls and emails regarding the complexity of this issue and the confusion. What this does is it provides a clear definition of what a retailer is in North Carolina, so that we can know who, indeed, is in business there. It defines repairs, maintenance, and installation. It defines capital non-tax improvements. It sends out a clear message to the Department of Revenue what the General Assembly expects them to do, and it has been outlined. I'll have to brag on the staff, they did an outstanding job in putting that together to help accomplish that task. The good news is it also gives a grace period because of the confusion, so businesses won't be punished by this. The last two parts, one of them is dealing with a ceiling or cap on labor for boat repairs and for airplane repairs. The part for the parts will always be taxed at whatever level. The part on service or labor will be capped at \$25,000, and that really takes on most of the work done in that industry. The last piece is a repeal of the \$17.6 million state contribution that is allocated to all counties as part of the 2% local tax. What that clearly means is we expected to get \$67 million, and we were going to use about 17.6 of the General Fund to pay a shortfall, if indeed it occurred. Well the good news is, because, as Senator Brown alluded to, our economy is roaring here in North Carolina, we created \$100 million, which is about \$29 million more than we anticipated, so the need for the 17.5 no longer exists. That will be put back into the General Fund for availability, and the counties and the municipalities—none of them were injured by this deal. Mr. Chairman, that concludes my report.”

June 2, 2016

Upon the appearance of Senator Newton in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator Apodaca offers Amendment No. 1, which is adopted (42-6).

Senator McKissick offers Amendment No. 2.

Senator Apodaca offers Amendment No. 3 as a Substitute Amendment, which is adopted (33-15), and Amendment No. 2 subsequently fails.

Senator Cook offers Amendment No. 4, which is adopted (47-1).

Senator Smith-Ingram offers Amendment No. 5.

Senator Apodaca offers Amendment No. 6 as a Substitute Amendment, which is adopted (34-14), and Amendment No. 5 subsequently fails.

Senator Woodard offers Amendment No. 7.

Senator Alexander offers Amendment No. 8 as a Substitute Amendment, which is adopted (33-12), and Amendment No. 7 subsequently fails.

The Senate Committee Substitute bill No. 2, as amended, passes its second reading, by roll-call vote, ayes 33, noes 15, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Wells---33.

Voting in the negative: Senators Blue, Chaudhuri, Clark, D. Davis, Ford, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---15.

The Senate Committee Substitute bill No. 2, as amended, remains on the calendar for Friday, June 3, upon third reading.

Upon motion of Senator Berger, seconded by Senator Brown, the Senate adjourns at 1:38 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Friday, June 3, at 12:05 a.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 2, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 838 House Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO

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TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, and requests conferees, Speaker Moore has appointed:

Representative Dollar, Chair
Representative Dobson
Representative Brisson and
Representative Lambeth

on the part of the House of Representatives 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. 984, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

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

H.B. 1080 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT.

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

H.B. 1137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE TREASURER'S 2016 INVESTMENT AND ADMINISTRATIVE CHANGES ACT.

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

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Sanderson for the **State and Local Government Committee**:

S.B. 795, A BILL TO BE ENTITLED AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING, with a favorable report.

The bill is placed on the calendar of Monday, June 6.

June 2, 2016

S.B. 876, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR PUBLIC ENTERPRISE SERVICES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, with a favorable report.

The bill is placed on the calendar of Monday, June 6.

S.B. 848, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO CLARIFY THE TOWN'S AUTHORITY TO CONDITION SITE PLAN APPROVAL, TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY, AND TO AUTHORIZE THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45512, is adopted and engrossed.

The Committee Substitute bill is placed on the calendar of Monday, June 6.

S.B. 849, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, WAKE FOREST, AND ZEBULON TO DONATE RETIRED SERVICE ANIMALS USED BY THE POLICE DEPARTMENT OR ANY OTHER TOWN AGENCY TO THE POLICE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45511, which changes the title to read **S.B. 849** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, is adopted and engrossed.

The Committee Substitute bill is placed on the calendar of Monday, June 6.

June 2, 2016

H.B. 1037 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS AND TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40646, which changes the title to read **H.B. 1037** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS, TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, AND TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, is adopted and engrossed.

The Senate Committee Substitute bill is placed on the calendar of Monday, June 6.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

S.B. 879, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND GRANTING COUNTYWIDE JURISDICTION TO THE POLICE DEPARTMENTS OF THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE, referred to the **Rules and Operations of the Senate Committee** on May 18.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **State and Local Government Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-SECOND DAY

Senate Chamber
Friday, June 3, 2016

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

Prayer is offered by The Honorable Norman W. Sanderson, Senator from Pamlico County, as follows:

“God, Proverbs 9:10 says, ‘The fear of the Lord is the beginning of wisdom, and the knowledge of the Holy is understanding.’ James 1:5 says, ‘If any of you lack wisdom, let him ask of God that giveth to all men and women liberally.’ We pray for wisdom and understanding beyond our age, beyond our education, and beyond our experience. 1 Samuel 2:30 says, ‘For them that honor me I will honor, and they that despise me shall be lightly esteemed.’ Lord, ‘let the words of our mouth and the meditations of our heart be found acceptable in thy sight, O Lord, my strength and my redeemer.*’ In Jesus’ name, Amen.”

*Psalm 19:14

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 2, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bingham, Senator Bryant, Senator Daniel, Senator Hartsell, Senator J. Jackson, Senator Newton, Senator Smith, and Senator Wells.

CALENDAR

A bill on today’s calendar is taken up and disposed of as follows:

H.B. 1030 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, as amended, upon third reading.

Pursuant to her request on June 2, Senator Barringer is excused from voting on the bill due to a conflict of interest.

The Senate Committee Substitute bill No. 2, as amended, passes its third reading, by roll-call vote, ayes 26, noes 13, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Brock, Brown, Cook, Curtis, Gunn, Harrington, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tucker and Wade---26.

June 3, 2016

Voting in the negative: Senators Blue, Chaudhuri, Clark, D. Davis, Ford, Foushee, Lowe, McKissick, Robinson, Smith-Ingram, Van Duyn, Waddell and Woodard--13.

The Senate Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill No. 2.

Upon motion of Senator Berger, seconded by Senator Brock, the Senate adjourns at 12:16 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Monday, June 6, at 7:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 954 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO TERMINATE THE COMPREHENSIVE AGREEMENT FOR THE I-77 HOT LANES PROJECT IN MECKLENBURG AND IREDELL COUNTIES; CREATING A RESERVE ACCOUNT PROVIDING FOR PAYMENT OF TERMINATION CLAIMS; REDIRECTING REMAINING RESERVE ACCOUNT FUNDS; SUSPENDING SPECIFIED PROJECTS; REMOVING AUTHORIZATION TO CONSTRUCT THE I-77 HOT LANES PROJECT AS A PUBLIC-PRIVATE PARTNERSHIP; AND APPROPRIATING RELATED FUNDS.

Referred to the **Transportation Committee**.

H.B. 959 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

Referred to the **Transportation Committee**.

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. 726, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL PROTECTING AMERICANS FROM TAX HIKES ACT OF 2015. (Became law upon approval of the Governor, June 1, 2016 - S.L. 2016-6)

June 3, 2016

H.B. 474, AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK-OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS. (Became law upon approval of the Governor, June 1, 2016 - S.L. 2016-7)

H.B. 1023, AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS. (Became law upon approval of the Governor, June 1, 2016 - S.L. 2016-8)

H.B. 469, AN ACT AMENDING THE CHARTER OF THE TOWN OF SUNSET BEACH TO ALLOW THE TOWN TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED. (Became law upon ratification, June 2, 2016 - S.L. 2016-9)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-THIRD DAY

Senate Chamber
Monday, June 6, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, you are our help, our strength, and we need your help right now as we look to you for all that we need. It's by your grace and your mercy that I can stand and that all of us can stand and hear these words. Give us vision and courage, Lord. It is in your name, Jesus, that we pray. Amen.”

June 6, 2016

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Friday, June 3, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for tonight to Senator Ballard, Senator Blue, Senator Hartsell, Senator Smith-Ingram, Senator Tarte, and Senator Tucker.

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, June 7.

The Chair extends privileges of the floor to Angela Alexander from Charlotte, North Carolina, who is serving the Senate as Nurse of the Day.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

S.B. 795, A BILL TO BE ENTITLED AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING, upon second reading.

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. 848 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO CLARIFY THE TOWN'S AUTHORITY TO CONDITION SITE PLAN APPROVAL, TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY, AND TO AUTHORIZE THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS, upon second reading.

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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. 849 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, upon second reading.

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 by special message.

H.B. 1037 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LINCOLN-TON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS, TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, AND TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, upon second reading.

Senator Curtis offers Amendment No. 1, which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its second reading (44-0) 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 in the Senate Committee Substitute bill.

SENATE PAGES

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

Jordan Bromfield, Monroe; Jackson Dew, Jamestown; Isabella Dyson, Charlotte; Jake Fain, Winston-Salem; Ethan Hiatt, Jamestown; Savannah Hill, Hookerton; Calvin Koonce III, Raleigh; Daniel Liu, Apex; Ashley Lopez-Figuera, Greensboro; Spencer Mangum, Raleigh; Dylan Melvin, Elizabethtown; Jack Mitchell, Jr., Durham; Elias Moore, Nashville; Ona Ojo, Fayetteville; Caroline Putze, Raleigh; Mason Roberts, Durham; Bennett Sapp, Burlington; Grace Strickland, Elon; Katie Sutton, LaGrange; Noah Taylor, Greensboro; Julia Wakeman, Cornelius; and Hanna Williams, Elon.

Upon motion of Senator Pate, seconded by Senator Rabin, the Senate adjourns at 7:48 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Tuesday, June 7, at 2:00 p.m.

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RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

S.B. 888, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, referred to the **Education/Higher Education Committee** on May 23.

The bill is withdrawn from the **Education/Higher Education Committee** and re-referred to the **Finance Committee**.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-FOURTH DAY

Senate Chamber
Tuesday, June 7, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, this is the day that you have made. As we are electing future leaders today, would you please have your hand of peace on all those in these races? Would you be the wind behind their backs? Would you remind us of the amazing privilege that we have to be able to be freely voting in this hope of forming a more perfect union? It is in Jesus' name we pray. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, June 6, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Brock and Senator Tarte.

The Chair extends privileges of the floor to Tina Franck from Rural Hall, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

June 7, 2016

By Senator Hartsell for the **Judiciary I Committee**:

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Finance Committee**.

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 1083, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION, with a favorable report.

S.B. 880, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY, with a favorable report.

WITHDRAWAL FROM COMMITTEE

H.B. 161, A BILL TO BE ENTITLED AN ACT ADOPTING THE BOBCAT AS THE OFFICIAL STATE CAT OF THE STATE OF NORTH CAROLINA, referred to the **Rules and Operations of the Senate Committee** on April 28, 2015.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Health Care Committee**, which motion prevails with unanimous consent, and the Chair so orders.

INTRODUCTION OF A RESOLUTION

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

By Senators D. Davis and Pate (Primary Sponsors):

S.J.R. 891, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSAY CARTER WARREN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.

Upon motion of Senator Apodaca, the Joint Resolution is placed on today's calendar.

June 7, 2016

CALENDAR

A bill and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 881, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS, upon second reading.

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 by special message.

S.J.R. 891, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSAY CARTER WARREN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

The Joint Resolution is read in its entirety.

Upon motion of Senator Apodaca, the words spoken on S.J.R. 891 are spread upon the journal as follows:

SENATOR D. DAVIS: "Today I rise with great honor to recognize and hold on to the legacy of Senator Lindsay Carter Warren, Jr. Senator Warren was destined, truly, for public service. He was walking, literally, in the footsteps of his great-grandfather as well as his father. Senator Berger, his father actually served in this chamber as the President *Pro Tem*, and he went on to serve in the U.S. Congress and eventually made his way to lead the GAO. Forty-six years later, Lindsay Jr. would show up to also join this chamber. Even though he traveled in the footsteps of his great-grandfather and father, he truly distinguished himself. He went on to serve our country in the U.S. Coast Guard. Colonel Rabin, he was indeed a part of the greatest generation, and he served our country in World War II. He eventually made his way back home, as was shared, and he went to UNC Law School and went on to practice law for 50 years. To distinguish himself, to serve as a president of the Bar, and not only that, to be inducted in the General Practice Hall of Fame—that speaks volumes. But I can tell you this, you've heard of his many positions that he held and accolades, but one that I hold dear—I believe above all, he truly, truly loved his church. As a Presbyterian I can say, Senator Blue, he was a good Presbyterian, and he served First Presbyterian in Goldsboro. It's the Bible that reminds us, my friends, that 'the Lord makes firm the steps of the one who delights in Him' [Psalm 37:23, NIV]. I must be firmly grounded in my belief that Lindsay took many steps that were firmly grounded. As we come before you today—what a person—91 years of life. To his family who's here, Toddy, thank you so much; to his children and to the grandchildren who are here today, thank you for being with him and supporting him. Do know that as you come to travel in the environment that he knew so well, that this State is grateful for his service and better for having had him serve. I stand today not only to commend this joint resolution to you, but to truly salute an outstanding American, North Carolinian, and just a downright remarkable person."

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SENATOR PATE: “Thank you, Senator Davis, for initiating this resolution. I’m so delighted that the family is able to join us today as we pay respect to someone who served here long before any of us. He served from 1963 to 1969. Now, I have heard that the General Assembly moved into this building in the ‘60s, so that would mean that he was part of that moving effort. That was a good while ago—over 50 years ago. His last term of service here in this building was 46 years ago. Stop and think about that. That’s been a long time that people have tromped on this carpet and been in this chamber, but Lindsay Warren was here, and we’re so grateful of that. One of the things that is to his lasting credit—one of the things he accomplished that’s so important to this day—he reorganized—he was the chairman, I believe, of the reorganization committee of the court system in the state of North Carolina. He made some massive changes to the trial courts, and he did a great deal of work in that area. He got rid of mayor’s courts and magistrate’s courts and all these other courts that were around and settled on. I guess he was the one who came up with the idea of district courts. Maybe I’m mistaken on that, but that’s what I’ve heard. At any rate, the court systems and the districts were his handiwork, and so we are to this day appreciative of that. He was the chairman of the North Carolina Courts Commission, and he did a whole wealth of things that were so very important to our state back at that time. I did a little bit of research to find out which chairs Senator Warren occupied while he was a member of the Senate. We came up with two seats. In 1963 he was in seat 47, and for the rest of his remaining three terms, he was in seat 46. Now, if the seats are partisanly meted out like they are now, someone has been doing some work since then, because Senator Warren was a Democrat, and for him to be seated in seat 47 back in those days, there must have been a lot of Democrats in this chamber. Anyhow, Senator Warren was a great fellow. I knew him in my getting around in Goldsboro quite a bit, and he would always speak to me and ask how things were going in the General Assembly. He seemed to be very interested in what was going on up in Raleigh until his last days. I commend this resolution to you, and we’re certainly glad to welcome the family here today, Mr. President.”

The Joint Resolution passes its second reading (48-0) and, without objection, is read a third time and passes its third reading, with all present members standing, and is ordered sent to the House by special message.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 169 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10544, is adopted and engrossed.

June 7, 2016

Upon motion of Senator Pate, seconded by Senator Apodaca, the Senate adjourns at 2:36 p.m., in memory of Lindsay Carter Warren, Jr., former member of the General Assembly, and in memory of Muhammad Ali, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Wednesday, June 8, at 2:00 p.m.

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

The following bill, having been vetoed, together with the Governor's objections and veto message, was returned to the Clerk of the North Carolina Senate on June 6, 2016, at 8:00 p.m., for reconsideration by that body:

*Senate Bill 71, An Act to (1) Require a Coal Combustion Residuals Impoundment Owner to Provide Permanent Alternative Water Supplies for Residents in Areas Surrounding Coal Combustion Residuals Surface Impoundments; (2) Extend the Period for Public Comment and Review of Proposed Risk Classifications for Coal Combustion Residuals Surface Impoundments; and (3) Modify Appointments to the Coal Ash Management Commission, the Mining Commission, and the Oil and Gas Commission, in Accord with the Holding of *McCrory V. Berger*.*

Senate Bill 71 is not good for the environment or for the rule of law in North Carolina.

This bill weakens environmental protections, delays water connections for well owners, ignores dam safety and hinders environmentally sound efforts to reuse coal ash. This bill also lacks a firm deadline to connect well owners to alternate water supplies. In contrast, my administration proposed a solution that would have provided water connections within 18 months and required Duke Energy to repair dams around its coal ash ponds.

Furthermore, Senate Bill 71 yet again violates the separation of powers by interfering with a Governor's constitutional duty to faithfully execute the laws. It does this by re-establishing unaccountable bureaucracies within the cabinet agencies that have the power to make or overrule executive decisions. This legislation completely disregards a decisive 6-1 North Carolina Supreme Court ruling that came a mere four months ago. The re-established Coal Ash, Mining, and Oil & Gas Commissions have the same lack of supervision and extremely limited removal authority that the Supreme Court objected to in *McCrory v. Berger*. This bill further limits appointment authority by requiring the General Assembly to approve executive appointments by confirmation.

In addition, this legislation imposes unrealistic deadlines to make appointments to the Mining and Oil & Gas Commissions. If an appointment is not made, the General Assembly gives gubernatorial appointments to the

June 7, 2016

Lieutenant Governor, who is also the President of the Senate, despite the fact that these commissions are located in the Governor's cabinet. The Supreme Court was clear that it is the Governor who must have control over entities within the cabinet agencies.

As Governor, I have a duty to protect the environment and preserve the constitutional role of the executive branch. Therefore, I veto Senate Bill 71.

S/ Pat McCrory
June 6, 2016

S.B. 71 is 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. 734 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS TO COORDINATE A TASK FORCE TO STUDY THE FEASIBILITY OF ESTABLISHING A NORTH CAROLINA AMERICAN INDIAN HERITAGE CENTER.

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

H.B. 1009 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTIES OF GUILFORD, MOORE, RANDOLPH, AND SURRY, AND ALL OF THE MUNICIPALITIES IN THOSE COUNTIES, TO TRANSFER RETIRED SERVICE ANIMALS USED BY THE POLICE DEPARTMENT OR ANY OTHER TOWN AGENCY TO THE POLICE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL.

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

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE.

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

H.B. 1131, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF ANDREWS TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A MILE OF THE TOWN'S CORPORATE LIMITS WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY.

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

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H.B. 1143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TEMPORARILY SUSPEND THE CHARTER OF THE TOWN OF SPENCER MOUNTAIN.

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

INTRODUCTION OF RESOLUTIONS

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

By Senators D. Davis and Pate (Primary Sponsors):

S.J.R. 892, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN HOSEA KERR, III, FORMER MEMBER OF THE GENERAL ASSEMBLY.

The Joint Resolution is placed on the calendar of Wednesday, June 8.

By Senators D. Davis and Pate (Primary Sponsors):

S.J.R. 893, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HENSON PERRYMOORE BARNES, FORMER PRESIDENT PRO TEMPORE OF THE SENATE.

The Joint Resolution is placed on the calendar of Tuesday, June 14.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

S.B. 878, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45514, is adopted and engrossed.

H.B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW CURRITUCK COUNTY TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40649, which changes the title to read **H.B. 345** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING IN PERQUIMANS COUNTY AND TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, is adopted and engrossed.

June 7, 2016

Upon recommendation of Senator J. Davis, the Senate Committee Substitute bill is re-referred to the **Agriculture/Environment/Natural Resources Committee**.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 169 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, on the calendar of Wednesday, June 8.

The Senate Committee Substitute bill No. 2 is withdrawn from the calendar of Wednesday, June 8, and re-referred to the **Rules and Operations of the Senate Committee**.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-FIFTH DAY

Senate Chamber
Wednesday, June 8, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Thank you, Heavenly Father for gathering us again today. Not just for the senators but for the guests in the gallery, we lift them up to you and all the work that they do in this great state. Lord, we ask you to continue to walk with this community here. Help us to be mindful of others that are without hope today—that might be lonely, that might be afraid—we lift them up to you and we ask that you would remind us that those who dwell in the shelter of the most high abide under the shadow of the almighty. Lord, help us to say that you are our refuge and that you are our stronghold here. We pray these things in the name of Jesus. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, June 7, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

June 8, 2016

The Chair grants leaves of absence for today to Senator Alexander, Senator Ford, and Senator Wade.

The Chair extends privileges of the floor to Lisa Surby from Lincolnton, North Carolina, and to Angeline Florence from Raleigh, North Carolina, who are serving the Senate as Nurses of the Day.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

S.B. 883, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHADBOURN TO AUTHORIZE THE TOWN COUNCIL TO APPOINT THE TOWN CLERK AND FINANCE OFFICER, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15386, which changes the title to read **S.B. 883** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHADBOURN TO AUTHORIZE THE TOWN COUNCIL TO APPOINT THE TOWN CLERK, is adopted and engrossed.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 878 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS, upon second reading.

The Committee Substitute bill passes its second reading.

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill placed on the calendar of Thursday, June 9, upon third reading.

S.B. 880, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY, upon second reading.

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. 1083, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER

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TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.J.R. 892, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN HOSEA KERR, III, FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

The Joint Resolution is read in its entirety.

Upon motion of Senator Apodaca, the words spoken on S.J.R. 892 are spread upon the journal as follows:

SENATOR D. DAVIS: “Members, and to the public who are joining us today, it was just over a year ago that we and the family had the tremendous challenge of laying to rest a friend of ours and a truly outstanding legislator in Senator John Kerr III. John Kerr, especially for those who may not have known him—he was tall, he was big, and he was known by many as ‘Big John.’ Big John was known not just because of his size but also because of his ability to get things done. When I think about that list, you could put on that list getting the Global TransPark up and running. You could put on that list the dental school at East Carolina University. You could add to that list the Cancer Center, the Eating Disorder Center, and that list goes on and on to also include the new Cherry Hospital. Interestingly, this wasn’t what he was actually best known for. He was actually famous in terms of his name and efforts to expand infrastructure across the state. If you needed some water lines, you’d call ‘Big John.’ If you needed some sewer help, you’d call John Kerr. If you needed some help with natural gas, yep, call John Kerr up. If you needed some help with the roads, call John Kerr. Matter of fact, it was just a few weeks ago, the governor came out, and we were in Wayne County, and we were doing the dedication for the Goldsboro Bypass, future Interstate 42. The Mayor, who’s here today, Chuck Allen—I remember his comments. He said John Kerr was dedicated to march right on down the road seeing this happen. But here’s the point that I make, Senator Tillman. You can truly see, and this is a lesson for all of us, the mark of a legislator who really makes a difference, and you can measure that by the number of times we call his or her name even when they’re gone. I remember just a few weeks ago, Senator Tillman, at breakfast, and at other sessions, his name has been mentioned. Truly, Senator Kerr was just an awesome person—a person that people just absolutely loved. Maybe he got some of that from his grandfather, who served in the United States House of Representatives, or maybe even his father, who served as the Speaker of the House. Wherever it came from, we loved him, and he loved us. He was a true champion for eastern North Carolina—Mr. Eastern North Carolina. The residents of Greene County, they really adored John. I remember coming in to Greene County. There’s a piece of farmland off, actually, on the right side, and for years, for years, there was a sign that stood up, and that sign read, ‘John Kerr. We’re proud he’s our senator.’ It was something to that effect. The residents there appreciated his representation and not just his representation but that he represented us well. I went on to succeed John in office, and I recall on an

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occasion we showed up to church, and we were at a church before this crowd, and I wanted to make sure John then received the honors and recognition for all that he had done for the state. I remember telling the crowd, I said, 'Hey, let's give it up for Senator Kerr,' and the crowd kind of goes crazy. I went on with my speech that day, and I started to say, 'These are big shoes that I'm filling.' Before I could get further in my speech, all of a sudden I hear this big voice come, and he stands and does something like this—you see this big foot come up, and he says, 'Yes, they are big.' My friends, Senator Kerr just had a way of entertaining us with his wit. For those who've known him, he had 'John Kerr' stories. I have plenty of them, and he left us with many of them to share. He was much admired around our community and across the state. His legacy will live on in those he helped, without a doubt. I'm extremely honored that his family is with us today—James and John—and I can tell you I met their many grandchildren. I went and shook the hand of John V up there, and I think you have a bright future. I want to also pause for a moment because it's not just the members that make all this happen, but, Evelyn, we recognize you, too, for all that you did to help John in that office and your loyalty. Also, I recognize Ms. Sylvia, too, as she continued on in our office for a little while. I was really pleased to get to know you and her. Thank you for being here today. Sandra, I want to say to you that John accomplished a whole lot of things in his life, but I must imagine that the one thing that was most special to him—I can only imagine—was your marriage of 55 years. I'm glad that you all were able to come, and Representative Baddour, to be here with us all as we celebrate John. Sandra, I will say this to you, I'm glad in the end he was able to get home, and y'all were able to spend a little more time together in those days before he began to slowly slip away from us. John Kerr was larger than life, y'all, he really was—larger than life, but yet a gentle giant. I commend this resolution to you, and I thank this family for sharing 'Big John' with us for so long."

SENATOR PATE: "Within the past year, we have had a trilogy of sadness in Wayne County because we have lost three former senators in our county, who served our county well in years past. We're honoring one today—John Kerr. I also had a chance to meet John H. Kerr V just a few moments ago, and I certainly understand what Senator Davis has just said about the future of that young man. He looks like his grandfather, and when his voice changes and he gets a little bit louder, he might just equal John's verve. John was a big man, and he did a lot of great work in our state and in our district. We certainly appreciate him for all that. I first got to know John when I joined the Goldsboro Jaycees back a long time ago, when I was first assigned to Seymour Johnson Air Force Base, and John had just moved to Goldsboro, I believe, at that time. We got to know each other at that time. One thing that has not been brought out yet—in addition to him being physically big and spiritually big, he was, I'll say, loud when he spoke. He did not speak in a whisper. In fact, his whisper could be heard clear across the chamber, I do believe. In fact, he didn't need a microphone when he addressed members of the Senate. In fact, Mr. President, we might want to check the mikes on seats 33 and 31. To this day, they might not operate, I'm not certain. At any rate, John was a fine person. He always had time to stop and talk to you, and he was very interested in anything he could do for his constituents or, for that matter, anyone in the state of North Carolina. I commend this resolution to you."

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SENATOR TILLMAN: “John’s family is here, and I’m glad they’re here. I’ve got a story to tell you that’s the truth. John and I were both fairly big, he was bigger than I was, and one thing that I know, Senator Berger and Senator Apodaca, you know, he never hit the right button. When he wanted to speak he would either not hit it or hit the voting button, and I don’t know how many times Senator Basnight had to tell him he hit that, and David Hoyle would look around there and straighten him out. They sat back there together. Well, we were on the elevator one time—John was the Finance chair, and he would ramble a lot—an awful lot. Senator Rand got put out with him quite a few times. These two incidents I’ll never forget—and I loved John Kerr, and we all did. He was rambling on and on about a natural gas bill, Senator Davis, before your time. Senator Rand—and I’m either a freshman or sophomore and didn’t know much of anything—but Senator Rand turned around and said, ‘He’s talking too much.’ I agreed, I was afraid not to. He said, ‘Watch this,’ and Tony made a motion for an unfavorable report. He said, ‘He had a good bill, but he talked us out of it,’ and he killed his bill. The funniest thing is, John and I got on the elevator that very day. We were going down, and some lady stopped on the 4th floor—I believe we always met on the 5th—and she thought I was Senator Kerr—she didn’t know for sure—but she talked to me, ‘Senator Kerr, I want you to work on fixing this bill for me.’ Senator Kerr, bless his heart, he said, ‘I’m Senator Tillman, can I help you?’ That lady may have never known the difference. He turned around and helped the lady. So he was Senator Tillman that day, and I was Senator Kerr. That I’ll never forget. We love you, John Kerr.”

SENATOR RUCHO: “When I first came to the Senate, Senator Kerr and Senator Hoyle were chairs of the Senate Finance Committee, and they set the standard of how the Senate Finance Committee operated. I will say to you, they were tough standards to meet. I remember he would keep the members in the audience—with his lodge stories and the stories he was telling—he would keep us all on our toes. I also can’t count the number of times he would remind the members to be careful about what they said in the committee room because of the fact that he said, ‘You know, those people in China can hear you.’ I will tell you, ladies and gentlemen, the people in China are probably still telling stories about John Kerr. We’ll remember him and miss him dearly. He was a good friend and a good servant for the state of North Carolina. We wish you all well.”

SENATOR BROWN: “You know I served with John my first term here, and being from eastern North Carolina I had to ask John a lot things about what was going on in eastern North Carolina as I was trying to figure this place out, too. I went to dinner with him several times, and had dinner, and it was always a hoot when you’d go to dinner with him because you never knew what kind of story you were going to hear. Being in the car business—one thing John hated worse than anything in the world were dealer tags. He absolutely hated to see a car with a dealer tag. I remember getting into a debate with him a little bit about, ‘John, what’s so bad about these dealer tags.’ He said, ‘Every car in the state’s got a dealer tag on it.’ I mean that’s the way he felt. He actually ran a bill to try

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to take all my dealer tags, and he succeeded pretty much in getting most of them. I learned a whole lot from John that first year, and, you're right, Senator Davis, he was a true champion for eastern North Carolina. Senator Apodaca, some of those meals at night were fond memories because the rest of us would just sit there and eat and listen to John tell the stories, so they were always a lot of fun. John was a great guy and someone I learned a whole lot from."

SENATOR HARTSELL: "I met John Kerr the first day I came to the legislature. He was in the House at the time, and that was 25 years ago. I'll never forget it. This bear of a man, whom I'd never seen before in my life, came up, slapped me on the back and said, 'How are my cousins, the Morrisons,' who happened to live in my district. I didn't know who he was, didn't know what he wanted to do, and didn't know anything about him, but we retained a friendship for the entire time that he was here and even afterwards. I see Cindy Averette back in the back, and I remember going to the services with Cindy and other staff. You understand how important someone is to this assembly when the staff develops a relationship that they had with John. They respected him as a person, they respected him as an intellect, and they respected him as a man. The first—I actually dealt with John in three different committees—actually four. The first was in 2003 when I had the fortune, or misfortune, of becoming the chair of the Judiciary Committee, which I will call 'the Judiciary Committee from Hades' because, some of you may know this, but that committee consisted of, among others, Fern Shubert, Ellie Kinnaird, Hugh Webster, Tom Apodaca, and the most disruptive influence of all, John Kerr. He never showed up on time, but if we were in the middle of a bill, we had to go back and just re-argue the bill the whole time. He had extremely perceptive questions, he knew what was going on, but he was never there on time, so we would try to rush through the various bills so that we could get those done before he arrived. It never seemed to work, however. Some of the same things happened in the Finance Committee over time. The debates between he and Senator Hoyle were rather significant. They were rather colorful, but they were also very pleasant. One of the committees that most folks don't know much about but he had a real interest in, which is really strange, was Administrative Procedure because he had an incredibly developed technical mind. Now, given the fact that I'm associated with technical bills, we had a lot, a lot of discussion and debate about that. He was very interested in the process of how we did these kinds of things, and he did it for a long time, and he did it extremely well. He and I co-chaired an economic development group that, once Pillowtex closed, we had a statewide group that went all over the state. I got to meet John and deal with John. It was delightful and miserable at the same time because we went to all these places, we heard all these problems, and he would listen to every one of them, and he generated a real response to it. We actually came up with some answers, but then we started session, and we never got to finish it up. Not only did he love the staff here, but they loved him. Miss Evelyn, you must be the most self-sacrificing soul I've ever run across in my life. Miss Sandra, I'll never forget the day that Stan Bingham and I went down to your home to talk with John about endorsing a

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successor, which was not Don Davis. It was Louis Pate. He didn't listen to us; he endorsed Don Davis, but he did so because of his principles. He was loyal, and that's something that you can truly appreciate. When it really gets down to it, what Senator Rucho said a moment ago is probably the statement that he's known for the most, and that is, 'Watch out, they're hearing this in China.' You know, we're hearing him, and he's even farther from China, and we appreciate that. Thank you for him and for you."

SENATOR BINGHAM: "I came in 2001 and became, rather quickly, a friend to John Kerr, as were all of us who had met him and known him. He was such a splendid gentleman, and he always would talk about, 'Remember the little people.' I remember him talking about going in the LOB and speaking to all the ladies and gentlemen who were there that printed the bills and other things. He knew all of them firsthand—name by name. Senator Hartsell, I wasn't going to tell that story, and I regret you did that, but anyway, Don, we love you. But anyway, we would go with John to eat at night, and all of you know I love to socialize. That's what it's all about anyway—the friendships we make here and the ability to go eat—and John couldn't agree more with that. We'd go to Piccoli's, and I don't know who drank the most beer. I guess it was me, but I better not say much about that. We certainly loved pizza. We'd get in a booth—there were six or seven of us—and we'd get in a booth and tell stories. I remember John—I was telling him about going through the Khyber Pass. Of course some of you don't know where that is. It's in Pakistan, adjoining Afghanistan. It's rather rugged territory; there have been a lot of wars and other things. I was walking and hitchhiking through there, and so he must have asked me 25,000 questions about that trek and other things because he was so attuned to specifics. He was such a fun gentleman to talk to, and we became the very closest of friends. I will never forget the opportunity, and thanks to the family for allowing him to be here as long as he did. I don't know if John had an enemy anywhere, but he will certainly, truly be remembered. There are some stories I've learned the hard way that I'm not going to say on this floor. I might consider telling the family, but probably not even that. He was a very fine gentleman and a very close friend of mine. Thank you all for being here. I hope all of you will support the resolution."

SENATOR MCKISSICK: "Well, it looks like about all of us have spoken who were here with John Kerr back in that time frame. Of course, when I think back about him, I think about the same type of fond memories that so many of my colleagues here have spoken of. One of the things that I really admired and respected about him was not only his attention to detail and specifics and understanding process, but he loved politics. He knew every detail about what had happened in the state, what was happening nationally, and his finger was always on the pulse. More importantly, when it came to eastern North Carolina, he was the type of person that would not just come here to get things done; he was the type of person who could appeal to any audience that he went to. He was a populist; he was folksy; he was down to earth. There was nothing you

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could say to John that he would not always have a response to. His advocacy as a member of this chamber was profound. He had many, many projects that he was able to get through that helped many, many people. It didn't make a difference whether you were a Democrat or Republican, if John could help you, John would help you in your district or in whatever it may be. If you were having a tough time with a bill and getting it through, you could go to John and get his advice, get his counsel, and try to figure out what other people you could pick up to support it. For that type of advice, that type of counsel, that type of leadership, which inspired me and so many others, I am forever, eternally thankful, and for, more importantly, just being here as a strong, solid voice with compassion—somebody who really had compassion, somebody who really knew how to get things done, somebody who understood what it meant to make the political process work. He was a champion, he was a leader, and if we were to look up in a dictionary and define political leadership at its finest, there should be a picture of John Kerr.”

SENATOR APODACA: “I want to speak to the grandchildren today. I want to tell you about your grandfather, and I want you to pay attention. If when you leave this earth you have this many diverse people saying the things about you that we're saying about your grandfather, you've led a heck of a life. You can do that because he was proud of his family as much as anybody I know, or ever known. The one thing I'll always remember about your grandfather was that school bus tie he wore about every other day. We used to call him—remember that—we used to call him 'Big Bird' because he reminded us a lot of Big Bird. But no finer man has ever served in this chamber, and I want you all to know that.”

SENATOR BERGER: “John Kerr was here when I first got here. He was, I don't know, larger than life in some respects, especially when you think back about him. There were a couple of things that just stood out. One in particular—if he was talking, there was no punctuation. I mean, he would just—no punctuation at all. The other thing, Senator Hartsell, in those committee meetings, generally what would happen is when an amendment or a committee substitute would get passed out, you knew when John got it because the first thing he would say was, 'Y'all understand what we're doing here?' Or he would ask somebody in the audience what they thought about it. Then the third thing is, I think John Kerr knew somebody—he may have known everybody across the state because I think every one of us that knew him can point to a time where he would come up to you and ask you about somebody. Sometimes it was a very obscure person in your community. He spent a lifetime getting to know people, entertaining people, serving people, and being a good citizen, so I certainly commend the resolution to you.”

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 sent to the House of Representatives by special message.

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H.B. 817 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016, upon second reading.

Senator Randleman offers Amendment No. 1, which is adopted (47-0).

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 in the Senate Committee Substitute bill.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 169 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, with an unfavorable report as to the Senate Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill No. 3.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 3, 40653, is adopted and engrossed.

ENROLLED RESOLUTION

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. 891, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSAY CARTER WARREN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2016-10)

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Barefoot for the **Education/Higher Education Committee**:

H.B. 242 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENED AND TO CLARIFY THAT RECORDS GATHERED BY AN INVESTIGATIVE GRAND JURY ARE PART OF THE FILE OF THE PROSECUTOR'S OFFICE AND SUBJECT TO DISCLOSURE TO THE DEFENDANT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40652, which changes the title to read **H.B. 242** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS, is adopted and engrossed.

H.B. 657 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE ESTABLISHMENT OF A FIXED TUITION PROGRAM AS A PAYMENT OPTION AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30519, which changes the title to read **H.B. 657** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, is adopted and engrossed.

Upon motion of Senator Berger, seconded by Senator Blue, the Senate adjourns at 3:12 p.m., in memory of John H. Kerr III, former member of the General Assembly, and in memory of Melvin Chester Swann, Jr., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, and the appointment of conferees, to reconvene Thursday, June 9, at 11:00 a.m.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 483 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, referred to the **Rules and Operations of the Senate Committee** on April 30, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee** and upon a favorable report will be re-referred to the **Commerce Committee**.

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INTRODUCTION OF A RESOLUTION

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

By Senator Blue:

S.J.R. 894, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN RICHARD JORDAN, JR., 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 8, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1030 Senate Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, and requests conferees. Speaker Moore has appointed:

Representative Dollar, Chair
Representative L. Johnson, Vice Chair
Representative Lambeth, Vice Chair
Representative McGrady, Vice Chair
Representative Brawley, Vice Chair
Representative Saine, Vice Chair
Representative Hager, Vice Chair
Representative Lewis, Vice Chair
Representative Arp
Representative Avila
Representative J. Bell
Representative Blackwell
Representative Boles
Representative Brisson
Representative R. Brown
Representative Bryan
Representative Burr
Representative Cleveland

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Representative Daughtry
Representative Dixon
Representative Dobson
Representative Faircloth
Representative Hardister
Representative Horn
Representative Hurley
Representative Iler
Representative Malone
Representative McElraft
Representative Presnell
Representative Riddell
Representative Shepard
Representative Tine
Representative Torbett
Representative West
Representative Szoka
Representative Hastings
Representative Setzer and
Representative S. Martin

on the part of the House of Representatives 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

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-SIXTH DAY

Senate Chamber
Thursday, June 9, 2016

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

Prayer is offered by The Honorable Erica Smith-Ingram, Senator from Northampton County, as follows:

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“God almighty, Lord of glory, the one who has called us ‘friend.’ As we come together on one accord to serve in this season of jubilee, we ask that you steady us upon the rock that is higher and not upon the plans of man. Steer us along paths of righteousness and not ways of judgment. Stir up the gift within us that we work in unity and not discord. Still us in the perfect peace of your will and not our own understanding. We thank you for what you have allowed our weak hands to do by thy strength, your grace, and your mercy. It is in your name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 8, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Alexander, Senator Blue, Senator Tillman, Senator Wade, and Senator Wells.

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

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today’s calendar:

H.B. 169 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 3 is withdrawn from today’s calendar and placed on the calendar of Monday, June 13.

H.B. 242 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today’s calendar and placed on the calendar of Monday, June 13.

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today’s calendar and placed on the calendar of Monday, June 13.

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ENROLLED BILLS AND A RESOLUTION

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

H.B. 1037, AN ACT TO AUTHORIZE THE LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS, TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, AND TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

H.B. 1083, AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION.

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. 892, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN HOSEA KERR, III, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2016-11)

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Brock for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 591 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO REGULATE CERTAIN STRUCTURES THAT UNREASONABLY RESTRICT THE PUBLIC'S RIGHTS TO USE THE STATE'S OCEAN BEACHES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40654, which changes the title to read **H.B. 591** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TASK FORCE TO EXAMINE THE GOVERNING STRUCTURE AND MORE EFFICIENT OPERATION OF THE ROANOKE ISLAND FESTIVAL PARK AND TO PROVIDE FOR THE MORE EFFICIENT OPERATION OF THE ROANOKE ISLAND COMMISSION, is adopted and engrossed.

June 9, 2016

CALENDAR

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

S.B. 883 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHADBOURN TO AUTHORIZE THE TOWN COUNCIL TO APPOINT THE TOWN CLERK, upon second reading.

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. 878 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS, upon third reading.

The Committee Substitute bill passes its third reading (45-0) and is ordered sent to the House of Representatives.

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1030 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

Pursuant to the message from the House of Representatives received June 8, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 1030 and requests conferees, Senator Louis Pate, Deputy President *Pro Tempore*, announces the President *Pro Tempore's* appointment of Senator Brown, Chair; Senator B. Jackson, Senator Harrington, Senator Meredith, Senator Rabon, Senator Apodaca, Senator Barefoot, Senator Tillman, Senator J. Davis, Senator Sanderson, Senator Hise, Senator Pate, Senator Tucker, Senator Bingham, Senator Newton, Senator Randleman, Senator Brock, Senator Cook, Senator Wade, Senator Rucho, and Senator Gunn as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

Upon motion of Senator Berger, seconded by Senator Brown, the Senate adjourns at 11:19 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Monday, June 13, at 7:00 p.m.

June 9, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 8, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative C. Graham, Representative Carney, Representative Lucas, Representative Waddell and Representative Goodman have been added as conferees to **H.B. 1030 Senate Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

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. 949 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE OCCUPATIONAL LICENSING BOARDS TO PROVIDE AND UPDATE CONTACT INFORMATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE AND TO CONFORM THE NAME OF THE GENERAL ASSEMBLY'S LEGISLATIVE ANALYSIS DIVISION.

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

H.B. 1060, A BILL TO BE ENTITLED AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Referred to the **Judiciary I Committee**.

H.B. 1061 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AMENDMENTS TO CLARIFY THAT TENANCY BY THE ENTIRETY IS PRESERVED IN THIS STATE IN LIGHT OF THE UNITED STATES SUPREME COURT DECISION IN

June 9, 2016

OBERGEFELL V. HODGES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO MORTGAGE DEEDS OF TRUST LAWS.

Referred to the **Judiciary I Committee**.

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT IN CANVASSING VOTES AFTER ELECTIONS, COUNTY BOARDS OF ELECTIONS USE THE SAME TIME FRAME FOR ALL ELECTIONS.

Referred to the **Redistricting Committee**.

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.

Referred to the **Redistricting Committee**.

H.B. 1145 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE GENERAL ANESTHESIA AND SEDATION DEFINITIONS RULE AND CERTAIN RELATED RULES ADOPTED BY THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS NOT TO ENFORCE CERTAIN RULES.

Referred to the **Health Care Committee**.

H.J.R. 1147, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF JAMES L. GALE AS A SPECIAL SUPERIOR COURT JUDGE.

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

S.B. 160 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE VETERANS DAY PARADE HELD IN THE TOWN OF WARSAW AS THE OFFICIAL STATE VETERANS DAY PARADE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Monday, June 13.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

June 9, 2016

By Senator Newton for the **Judiciary I Committee**:

H.B. 283, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING SESSIONS OF THE SUPREME COURT TO AUTHORIZE SESSIONS TO BE HELD IN MORGANTON, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40659, which changes the title to read **H.B. 283** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION, is adopted and engrossed.

H.B. 19 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TUITION WAIVER FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS AND CERTAIN OTHERS ALSO APPLIES TO CHILDREN WHOSE LEGAL GUARDIANS OR LEGAL CUSTODIANS ARE LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10547, which changes the title to read **H.B. 19** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3), is adopted and engrossed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 9, 2016

June 9, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Wray has been added as a conferee to **H.B. 1030 Senate Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA JOINT LEGISLATIVE TASK FORCE ON REGULATORY REFORM, referred to the **Rules and Operations of the Senate Committee** on April 29, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Agriculture/Environment/Natural Resources Committee**.

H.B. 95 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS TRIBAL ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE WINE SHIPPER PERMITS AND COMMERCIAL ABC PERMITS AND TO CLARIFY THAT THE EASTERN BAND OF CHEROKEE INDIANS TRIBAL ALCOHOLIC BEVERAGE CONTROL COMMISSION MAINTAINS EXCLUSIVE AUTHORITY TO ISSUE CERTAIN PERMITS, referred to the **Commerce Committee** on April 2, 2015.

The Committee Substitute bill is withdrawn from the **Commerce Committee** and re-referred to the **Health Care Committee** and upon a favorable report will be re-referred to the **Education/Higher Education Committee**.

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. 357, AN ACT TO AMEND PROCEDURES GOVERNING THE ADMISSIBILITY OF WRITTEN CHEMICAL ANALYSIS RESULTS. (Became law upon approval of the Governor, June 9, 2016 - S.L. 2016-10)

June 9, 2016

H.B. 632, AN ACT TO PROTECT STUDENT ONLINE PRIVACY. (Became law upon approval of the Governor, June 9, 2016 - S.L. 2016-11)

H.B. 1037, AN ACT TO AUTHORIZE THE LINCOLN-TON-LINCOLN COUNTY AIRPORT AUTHORITY TO ENTER INTO CERTAIN CONTRACTS FOR A PERIOD GREATER THAN TWENTY-FIVE YEARS, TO MAKE TECHNICAL CORRECTIONS TO THE SESSION LAWS RELATED TO THE AIRPORT AUTHORITY, AND TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS. (Became law upon ratification, June 9, 2016 - S.L. 2016-12)

H.B. 1083, AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO ALLOW PROPOSED ORDINANCES TO BE SUBMITTED TO THE CITY COUNCIL BY PETITION SIGNED BY ELECTORS OF THE CITY EQUAL IN NUMBER TO TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF REGISTERED VOTERS RESIDING WITHIN THE CITY AT THE TIME OF THE LAST REGULAR MUNICIPAL ELECTION. (Became law upon ratification, June 9, 2016 - S.L. 2016-13)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-SEVENTH DAY

Senate Chamber
Monday, June 13, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly father, thank you for all these gathered here that you have placed in these seats of leadership. I pray for them, each of them, that they would know you more deeply and trust in your leading. Have mercy on them, Christ, have mercy on us. As you gathered little ones in your arms and blessed them, you are also gathering those that were killed in Orlando—innocent lives slaughtered by violence of the fallen world. Be with us as we struggle with these mysteries of life and death. Bring comfort to those, and in our sorrow bring your hope and your promise of a new life. In Christ's name we pray. Amen.”

June 13, 2016

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 9, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for tonight to Senator Alexander, Senator Hartsell, Senator Rabin, and Senator Tarte.

The Chair extends privileges of the floor to Ronda Decker from Raleigh, North Carolina, who is serving the Senate as Nurse of the Day.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight's calendar:

H.B. 19 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3), upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Insurance Committee**.

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Wednesday, June 15.

June 13, 2016

WITHDRAWALS FROM COMMITTEES

H.J.R. 979, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHARLES M. VISER AS A SPECIAL SUPERIOR COURT JUDGE, referred to the **Rules and Operations of the Senate Committee** on May 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Nominations**, which motion prevails with unanimous consent, and the Chair so orders.

H.J.R. 981, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF MICHAEL ROBINSON AS A SPECIAL SUPERIOR COURT JUDGE, referred to the **Rules and Operations of the Senate Committee** on May 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Nominations**, which motion prevails with unanimous consent, and the Chair so orders.

H.J.R. 977, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY MCGUIRE AS A SPECIAL SUPERIOR COURT JUDGE, referred to the **Rules and Operations of the Senate Committee** on May 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Nominations**, which motion prevails with unanimous consent, and the Chair so orders.

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, referred to the **Rules and Operations of the Senate Committee** on May 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Nominations**, which motion prevails with unanimous consent, and the Chair so orders.

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, referred to the **Rules and Operations of the Senate Committee** on May 3.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Select Committee on Nominations**, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to tonight's calendar:

S.B. 160 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE VETERANS DAY PARADE HELD IN THE TOWN OF WARSAW AS THE OFFICIAL STATE VETERANS DAY PARADE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from tonight's calendar and placed on the calendar of Tuesday, June 14.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Barringer for the **Judiciary II Committee**:

H.B. 870 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME, TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME, AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LAW AND PROCESS RELATED TO MANUFACTURED HOME TITLES AND SECURITY INTERESTS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40660, which changes the title to read **H.B. 870** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME AND TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME, is adopted and engrossed.

The Chair grants a leave of absence for the remainder of tonight's session to Senator Blue.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

H.B. 169 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, upon second reading.

June 13, 2016

The Senate Committee Substitute bill No. 3 passes its second reading (30-15) 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 the Senate Committee Substitute bill No. 3.

H.B. 242 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS, upon second reading.

Senator Krawiec offers Amendment No. 1, which is adopted (45-0).

The Senate Committee Substitute bill, as amended, passes its second reading (45-0).

Senator Krawiec objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Tuesday, June 14, upon third reading.

H.B. 283 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION, upon second reading.

The Senate 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 sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 591 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A TASK FORCE TO EXAMINE THE GOVERNING STRUCTURE AND MORE EFFICIENT OPERATION OF THE ROANOKE ISLAND FESTIVAL PARK AND TO PROVIDE FOR THE MORE EFFICIENT OPERATION OF THE ROANOKE ISLAND COMMISSION, upon second reading.

The Senate 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 sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

REFERRAL OF A RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.R. 896**, which was filed today, to be introduced tonight and referred to the **Select Committee on Nominations**.

SENATE PAGES

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

June 13, 2016

Alexis Bailey, Raleigh; Em Barringer, Cary; Audrey Bowman, Raleigh; Amy Clemmons, Raleigh; Hogan Disbrow, Southport; Kelly Anne Faulk, Sanford; Edmond Gayton, Raleigh; William Gilchrist, Raleigh; Teague Hagerty, Raleigh; Alyssa Hansen, Apex; Trevor Hartley, Jacksonville; Rae Johnson, Raleigh; Eva Logan, Charlotte; Lindsey Lovitt, Marvin; Josh Meredith, Fayetteville; Ashton Murphy, Henderson; John Nicholson III, Raleigh; Seth Norwood, Greensboro; Will Pruthi, Durham; Reagan Rushing, Wingate; Jordyn Scheitler, Belmont; Jacie Smith, Reidsville; Adam Stein, Raleigh; Griffin Sullivan, Raleigh; Owen Tierney III, Raleigh; Greear Webb, Raleigh; Angel Williams, Grifton; Sam Wolstenholme-Britt, Cary; and Xan Wolstenholme-Britt, Cary.

Upon motion of Senator Berger, seconded by Senator Barringer, the Senate adjourns at 8:03 p.m., in memory and in honor of the victims of the tragic shooting in Orlando, subject to the standard stipulations set forth in Senate Rule 24.1, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Tuesday, June 14, at 2:00 p.m.

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

STATE OF NORTH CAROLINA OFFICE OF THE GOVERNOR

PAT McCRORY
GOVERNOR

June 9, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

Pursuant to North Carolina General Statute 96-15.3 and North Carolina Session Law 2015-238, I am pleased to nominate Mr. Fred Steen for appointment as a member of the Board of Review for confirmation by the General Assembly. He will serve as a representative of employers and his term will end June 30, 2020.

June 13, 2016

Included you will find biographical information for the appointee. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Sarah Lang

The message is referred to the **Select Committee on Nominations**.

MESSAGE FROM THE GOVERNOR

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCRORY
GOVERNOR

June 9, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

Pursuant to North Carolina General Statute § 135-6, I am pleased to appoint Ms. Veronica Wright to serve on the North Carolina Teachers' and State Employees' Retirement System Board of Trustees and submit her name for confirmation by the North Carolina Senate. Her term is effective immediately, pending confirmation. She will serve in the unexpired seat of a representative of an active state employee and her term will end March 31, 2017.

Included you will find biographical information for the appointee. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory

cc: Ms. Sarah Lang

The message is referred to the **Select Committee on Nominations**.

June 13, 2016

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD.

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

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY TO LEVY AN OCCUPANCY TAX.

Referred to the **Finance Committee**.

H.B. 1055 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS REVISIONS TO THE STATE GOVERNMENT ETHICS ACT AND THE LOBBYING LAWS.

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

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORIZATIONS FOR OCCUPANCY TAX LEVIES INSIDE YADKIN COUNTY.

Referred to the **Finance Committee**.

INTRODUCTION OF A RESOLUTION

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

By Senator B. Jackson:

S.R. 896, A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE.

Referred to the **Select Committee on Nominations**.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 567, A BILL TO BE ENTITLED AN ACT TO REGULATE THE REPAIR OF AIRCRAFTS, referred to the **Rules and Operations of the Senate Committee** on April 30, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **State and Local Government Committee**.

S.B. 791, A BILL TO BE ENTITLED AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO

June 13, 2016

SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS, referred to the **Rules and Operations of the Senate Committee** on May 2.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

H.B. 884, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE SETOFF DEBT COLLECTION PROCEDURES FOR THE UNIVERSITY OF NORTH CAROLINA SCHOOLS OF MEDICINE, CLINICAL PROGRAMS, AND THE UNC HEALTH CARE SYSTEM, referred to the **Finance Committee** on July 16, 2015.

The bill is withdrawn from the **Finance Committee** and re-referred to the **State and Local Government Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-EIGHTH DAY

Senate Chamber
Tuesday, June 14, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, we do come before you and ask that you would bless these proceedings, that you'd bless the Senate session, the finances, the meetings; and going on, I pray that you would give us grace for the living of these days. Thank you for this day. Fill us up with your spirit, give us your wisdom, and bring upon this house your peace, the peace that is surpassing all understanding. It is in Jesus' name we pray. Amen.”

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

The Chair grants leaves of absence for today to Senator Alexander, Senator Foushee, Senator Newton, Senator Rabin, and Senator Tarte.

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REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 1014 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO RENAME PART 6 OF ARTICLE 1B OF CHAPTER 130A OF THE GENERAL STATUTES TO TAYLOR'S LAW ESTABLISHING THE ADVISORY COUNCIL ON RARE DISEASES, with a favorable report.

H.B. 1145 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE GENERAL ANESTHESIA AND SEDATION DEFINITIONS RULE AND CERTAIN RELATED RULES ADOPTED BY THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS NOT TO ENFORCE CERTAIN RULES, with a favorable report.

By Senator Sanderson for the **State and Local Government Committee**:

H.B. 956 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40665, is adopted and engrossed.

H.B. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, AND GASTON COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND AND GASTON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, with a favorable report.

H.B. 957 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO ALLOW THE MAYOR AND COUNCIL MEMBERS TO RECEIVE COMPENSATION FOR THEIR SERVICES AS PROVIDED BY GENERAL LAW, with a favorable report.

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H.B. 1131, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF ANDREWS TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A MILE OF THE TOWN'S CORPORATE LIMITS WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, with a favorable report.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.J.R. 893, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HENSON PERRYMOORE BARNES, FORMER PRESIDENT PRO TEMPORE OF THE SENATE, upon second reading.

The Joint Resolution is read in its entirety.

Upon motion of Senator Brock, the words spoken on S.J.R. 893 are spread upon the journal as follows:

SENATOR D. DAVIS: "Mr. President, today we pause to pay tribute to an amazing person and leader for the state of North Carolina. He made enormous contributions not only to our community, but to this very chamber that we're in, and that's Henson Barnes. Senator Barnes was raised the son of a preacher, as you heard, and went on to be a paratrooper. He was a lawyer and a farmer. While in the Senate, he became the President *Pro Tem*. It wasn't that he was just a President *Pro Tem*, but he truly redefined and reshaped that position. We saw, during his tenure, during his leadership, where there was an assumption of more power, and the Senate itself became more independent and self-governing. That's still with us today as we function. Senator Barnes was highly regarded in the chamber; he was viewed as the conscience of the chamber. He was a lawyer—but the lawyer's lawyer. What I think speaks volumes—obviously he was in a leadership position—and you've heard of all the awards and recognitions and accolades he received, but to receive, buried in those awards, recognition from Nancy Reagan. You know there's only one person that could ever have outdone Nancy Reagan, and that was Ronald Reagan two years later to come back and recognize him. To me, this speaks volumes of this person and his leadership. I want to put some perspective on this, if I may for a moment. Senator Barnes served in this chamber from 1977 to 1992. The perspective is I was just entering school when he started in the Senate, and I was leaving the Air Force Academy when he was leaving. The point that I make here, and I think this is an excellent point, we have to always, and should always, think about how others see us—the example that we provide. I can tell you, growing up in Greene County, people knew Henson Barnes, and I would hear stories. So we have to always be aware of our example. I can tell you definitively that he provided an extraordinary example for us. As we come together nearly 26 years later—it was June 25, 1992, that Senate Resolution 1260 was adopted. Senate Resolution 1260 was a resolution honoring Henson Barnes, his service, and it also was a time that we paused to have Henson Barnes Day here in the Senate.

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That resolution was signed by 49 senators. There was only one missing, and that was Henson himself, but all members that were present in the chamber signed on to that resolution, including names like Marc Basnight, Bev Perdue, and Jim Forrester, and, yes, Fletcher Hartsell. Here is what says it all, to serve in this chamber and to serve the residents of North Carolina and to be honored in your living and now to be honored as he's left us, to me that speaks volumes of his work. You know the saying, those two things that are guaranteed, the birth and the death, but it's that dash—he had a very, very long dash. So indeed it's an honor to recognize his life and legacy today and to join his family. Rebecca, and to everyone that is here, to Representative Baddour, thank you for taking this journey in life. This is one thing that I will say, and I stand firmly on, Henson Barnes made a big difference when he served in this chamber, and we don't even realize in ways that he's still living with us and impacting our work today. Senator Berger, I must believe that his influence will be with us for many, many, many years to come.”

SENATOR PATE: “Senator Davis covered a lot of ground, but it might be just a wee bit or two that's still there and hasn't been plowed over yet. I used to go once in a while to a little barbecue place in Goldsboro on Thursdays, and one of the people I would run in to was, at that time, former Senator Barnes. I do believe he was acting as a highway commissioner at the time. One of his dreams, I do believe, was a bypass around Goldsboro. I think he had the vision back in those years. Just recently, within the past month or so, we opened the Goldsboro bypass. I believe that Henson Barnes' footprints are all over that, and it was certainly good to know—it was great to know—that he had such a big part to play in that. The part I want to tell you about—after he retired from the Senate and retired as a highway commissioner and retired from his law firm, he moved with his wife down to White Lake in Bladen County. It turns out that the Barnes family had a big operation in blueberries. It looks like the land down there is so sandy and won't grow anything else, but it does a good job of bringing blueberries up out of the ground. He had a great number of blueberry bushes, and I used to go down and see him every spring and summer for a lesson or two in politics and also a flat of those great blueberries. It was worth the trip down there just for those two reasons. One time, he was showing me how he had modernized the harvest of the blueberries and all that sort of thing. He got me up on some sort of a contraption that went all through the blueberry rows picking blueberries wildly by machine, never being touched by human beings except the ones that flew up in my face as I was riding on that machine. He was certainly an innovator, he was a modern farmer, and I think that there is a large cooperative of blueberry farmers down in that area—certainly contributes to the economic well-being of Bladen County. Henson Barnes then went into failing health, and we know the rest of it now. Back in the day, he was quite the legislator. He was a leader in this General Assembly. He also was a leader in the state and certainly was well respected within his district and was a great friend to me, and I would commend this resolution to members of the Senate.”

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SENATOR BLUE: “I couldn’t let this moment go by without commenting briefly on our friend Henson Barnes. Over the last week, we’ve all been fortunate in that Senators Davis and Pate brought to our attention three senators, who I consider the ‘League of Extraordinary Gentlemen’—all of them from Wayne County and all of them who made indelible marks on this state and certainly on this General Assembly. I knew all three of them because all three of them were lawyers, but I knew Henson and John Kerr for a long time, and I knew them, certainly, very closely. When I came to the legislature, Henson was already established. What really amazed me about him is that he probably spent more time in the committees that I was on in the House than most of the committee members. He was so thorough and so popular that the overwhelming majority of the people who had new ideas and wanted something done would come to Henson to sponsor the bill. One session he sponsored 40-some bills, and all of them passed. He would come to explain them in the House in a very impressive way, and he would accomplish what people thought, going into many of them, would be impossible. In 1989, when Henson first started serving as President *Pro Tem* of the Senate, we elected a new Speaker in the House, who was a former Marine. Henson was a former paratrooper. So we young legislators were always placing bets on who was going to win. I tell you, at the end of the day, Senator Barnes won most of those battles, and we had record sessions. I think we went to October one year as they battled it out—but a very extraordinary fellow. I was fortunate enough to overlap him as he was President *Pro Tem* and I was Speaker in the House in the ‘90s. What marked Senator Barnes more than anything else was his laser-like focus on a problem once it showed up. I’ll just share two with you and sit down. In 1991, this state had the biggest budget deficit that it had had since the Great Depression. We had over a 13% hole in the budget—bigger than our deficit in 2008, in fact, percentage-wise. Henson was the one who came up with the idea, and sold us on it, that we really needed to do something that legislatures aren’t famous for doing, because none had done it. We needed to come up with a Performance Audit Committee to see how we could make government more effective and more efficient. I tell you, it was one of the most representative commissions ever appointed in this state—bipartisan—Governor Martin played a role in it—but basically it was legislatively driven with the state’s major bankers and the state’s leaders across all kinds of lines and stuff. They came up with splendid ideas as to how North Carolina could modernize the way that it was doing business. We adopted some of them, but then the economy got better, and, as legislators are prone to do, folks wouldn’t make the tough decisions and adopt them all, but Senator Barnes still plowed ahead on it. The second point that I want to make is that many of you, especially those from eastern North Carolina, are familiar with the Global TransPark. Once Senator Barnes got on top of that—Governor Martin and a fellow over at UNC played with the idea—but once Senator Barnes realized that that could potentially be a game changer in eastern North Carolina, he became the advocate for it. We jumped on airplanes, went down to Dallas-Fort Worth, and he convinced Ross Perot and Ross Perot’s son, who had done the same thing down in Fort Worth, that North Carolina was a likely place for it. He met with the Department of Defense trying to convince the Air Force that with a two-mile

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runway—longer than the ones at Seymour-Johnson—it could be a standby facility for them. He just poured his soul into trying to make sure that this Global TransPark concept worked. He was successful in getting, I think, a five dollar per license plate fee from eastern North Carolina to try to make that thing work. He was totally committed to it. Let me say two other things that you have to know about him. Representative Phil Baddour is in the back of the chamber, but Phil led the effort to do structured sentencing. Many of you who are on Judiciary Committees hear reports now as to how new crimes that we create fit into the scheme of sentencing. Senator Barnes was instrumental in that. Representative Baddour was from Wayne County as well, and they led the effort that again modernized North Carolina's criminal justice and sentencing system. I could go on and on. Anybody who sponsors 40 bills a session and gets them all passed would have an endless list of accomplishments, but I felt that those were some that you ought to be aware of. Senator McInnis will remember, in 1992—I believe it was—down in his district there was a plant that processed chickens. The owner decided that it was more important to bar the door of that plant so that employees wouldn't be pilfering the chickens. As a result of locking those doors, many people died in a fire when they couldn't escape from that plant. Henson Barnes was the first one to say that we've got to appoint a committee to reform North Carolina's labor laws so that we get inspections for facilities like that. The laws on our books now, that mandate inspections on a much more frequent basis, came about as a result of the ideas and the foresight of Senator Henson Barnes. I commend this resolution to you, and again I point out by simply saying that the most you can say of any individual when he is no longer among us is that he was a good man in every respect. In every way you can measure it, Henson Barnes was a good man. I am proud to have known him, proud to have served with him, and I commend this resolution to you."

SENATOR BRYANT: "I would be remiss if I didn't make a few comments in tribute to Senator Barnes—former Senator Barnes—and his impact on me as a new and young lawyer. Senator Blue is correct that he had a great reputation for just how smart he was and how thorough he was. I remember getting prepared to go visit with him as a young lawyer working on issues affecting black landowners and farmers and limited resource farmers in North Carolina and laws at the time, particularly in the property law area that were barriers to them. The warnings I got about being prepared, particularly with the North Carolina General Statutes and knowing exactly what I was talking about when I went to see him—and they told me, you know, he keeps this cart of the statutes right by his door. When you go in and sit down and talk to him, the way you'll know if he's even interested in listening to you is if he rolls that cart over and pulls one of those green books out and looks up the statute as he's getting ready to talk to you. So when I went in and he rolled that cart over and pulled out that green book, I knew that I had at least won the first step of getting his interest. I was awestruck and honored to be able to work with him. He was chair of the Judiciary Committee at that time in the Senate. I think his colleague, Martin Lancaster, may have been chair in the House. It was a joy to work with both of them. His commitment to issues affecting small farmers and minority

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landowners in the state is admirable. We would not have made some of the accomplishments we made to save small farms during that period if it had not been for his leadership. So I want to honor him with these remarks and commend that resolution to you. Thank you.”

SENATOR HARTSELL: “I, too, would be remiss if I didn’t say something about the good Senator Barnes simply because he was the *Pro Tem* here in my first session. There are two people I met that first day. One was John Kerr. I mentioned that last week—he came over to see me. The other was Senator Barnes. I did not know Henson Barnes from anyone at the time. He came to see me. He came to my office, I didn’t go to his. He made an effort—and we were down at that point—my party was down 36-14. He made every effort to make me and my other freshmen friends feel very comfortable in the Senate. Quite honestly, I was a bit scared to death. More than that, he actually reposed confidence in each and every member almost from day one. He was as thorough an individual in dealing with problems and circumstances as anyone I ever ran across. I do not have a story to tell about him that I did about Senator Kerr last week, Senator Davis. But I will tell you this, he actually had the opportunity—he actually talked me into running a finance bill that he didn’t want to run and didn’t want to have his fingerprints on. I was a freshman scared to death to do it, but he gave me all the background, told me exactly what I needed to do, he went to the green books, and he fairly, shall we say—this was an amendment on the bill—he saw to it that it was not adopted because he just wanted it out there. But he knew that that kind of issue needed to be thoroughly vetted. When we talk about performance audits—he was thoroughly into the process of situations, the process of how government works, how it relates to people, and how it relates to people and what they do. He was an inspiration, he was a fair man, he was a fine, fine lawyer, a good friend, and I still remember that resolution in 1992. It was at that time—as far as I’m aware of, that’s the only one we’ve done—with the possible exception of recognizing R.C. Soles on R.C. Soles Day, that’s the only one I remember in my 26 years here. That was a long time ago—can’t forget. I commend the resolution to you.”

SENATOR BINGHAM: “I have a little different take. I knew Joanne Stevens, who is Senator Barnes’ sister, who I think dearly of. I had heard so many things about him through the years that I had encouraged her to bring him by my office just—if I could have an opportunity to speak to him just a moment or two. She did that, and to this day I still appreciate that very much. Joanne—I see that she must have been a chip off the block, as they say, because she would tell some of the roughest jokes, and we’d have the best time laughing about various things. She was certainly a good advisor, politically, for me. To Senator Barnes and his whole family, I certainly am delighted to stand up and speak to this resolution. Thank you, Mr. President.”

Upon the appearance of Senator Alexander in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

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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 and is ordered sent to the House of Representatives by special message.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES, with a favorable report.

S.B. 817, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT, with a favorable report.

By Senator Hartsell for the **Judiciary I Committee**:

H.B. 970, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT, with a favorable report.

H.B. 151 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10548, is adopted and engrossed.

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CALENDAR *(continued)*

H.B. 870 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME AND TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME, upon second reading.

Senator Daniel 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 in the Senate Committee Substitute bill.

H.B. 242 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS, as amended, upon third reading.

Senator Krawiec offers Amendment No. 2, which is adopted (34-12).

The Senate Committee Substitute bill, as amended, passes its third reading (37-9) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 160 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE VETERANS DAY PARADE HELD IN THE TOWN OF WARSAW AS THE OFFICIAL STATE VETERANS DAY PARADE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator B. Jackson, the Senate concurs in the House Committee Substitute bill (45-1) and the bill is ordered enrolled and sent to the Governor.

A SENATORIAL STATEMENT

Senator Ballard submits a Senatorial Statement entitled, **CONGRATULATING APPALACHIAN STATE UNIVERSITY'S FOOTBALL TEAM ON ITS OUTSTANDING 2015 SEASON**. The full text can be found in the Appendix. (See pg. 415)

Upon motion of Senator Berger, seconded by Senator Krawiec, the Senate adjourns at 3:39 p.m., in honor of Theresa Rucho, wife of Senator Bob Rucho, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Wednesday, June 15, at 2:00 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

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S.B. 29 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING COUNTIES TO COMPENSATE PERSONS ASEXUALIZED OR STERILIZED UNDER COUNTY AUTHORITY FOR THE PURPOSES OF EUGENICS, for concurrence in the House Committee Substitute bill.

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

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES.

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

H.B. 962 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SPECIAL LICENSE PLATE FEE FOR DISTINGUISHED FLYING CROSS AND AIR MEDAL RECIPIENT SPECIAL REGISTRATION PLATES.

Referred to the **Finance Committee**.

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Wednesday, June 15.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 14, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 817 Senate Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016, and requests conferees. Speaker Moore has appointed:

Representative R. Turner, Chair
Representative Hurley
Representative Stam and
Representative Meyer

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on the part of the House of Representatives 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 A CONFERENCE COMMITTEE

H.B. 436 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM SERIOUS HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY.

Pursuant to the message from the House of Representatives received May 11, that the House fails to concur in the Senate Committee Substitute bill for H.B. 436 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Daniel, Chair; Senator Lee, Senator Newton, Senator Bryant, Senator Randleman, and Senator Blue as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

BILL HELD AS FILED

S.B. 895 is ordered held as filed in the Senate Principal Clerk's Office.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 14, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that Representative Farmer-Butterfield has been added as a conferee to **H.B. 817 Senate Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

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REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 667 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY WHETHER TO ENSURE THAT PATIENTS HAVE THE OPTION OF SELECTING THEIR ATHLETIC TRAINER UNDER THEIR HEALTH BENEFIT PLAN, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10549, which changes the title to read **H.B. 667** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PENALTIES AND REMEDIES FOR FACILITIES LICENSED TO CARE FOR THE MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR SUBSTANCE ABUSERS AND FOR ADULT CARE HOME FACILITIES AND TO REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES, is adopted and engrossed.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AND CLARIFYING CHANGES TO THE LAWS GOVERNING PROFESSIONAL EMPLOYER ORGANIZATIONS, INSURANCE COMPANY DEPOSITS, CONTINUING CARE RETIREMENT COMMUNITIES, HEALTH INSURANCE EXTERNAL REVIEW, HEALTH INSURANCE FIDUCIARIES, AND INSURANCE COMPANY NAMES; TO PROVIDE FOR A STUDY OF THE HEALTH INSURANCE PREMIUM RATE REVIEW PROCESS AND MONEYS FROM THE INSURANCE REGULATORY FUND TO IMPLEMENT THAT STUDY, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE; AND TO ALLOW AN ITEMIZED INDIVIDUAL INCOME TAX DEDUCTION FOR INVESTORS WHO INCUR LOSSES FROM CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS, referred to the **Rules and Operations of the Senate Committee** on August 11, 2015.

The Committee Substitute bill No. 2 is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Insurance Committee**.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

June 14, 2016

By Senator Apodaca for the **Select Committee on Nominations**:

H.J.R. 977, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY MCGUIRE AS A SPECIAL SUPERIOR COURT JUDGE, with a favorable report.

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report.

H.J.R. 979, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHARLES M. VISER AS A SPECIAL SUPERIOR COURT JUDGE, with a favorable report.

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report.

H.J.R. 981, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF MICHAEL ROBINSON AS A SPECIAL SUPERIOR COURT JUDGE, with a favorable report.

S.R. 896, A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE, with a favorable report.

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

H.B. 292, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40666, which changes the title to read **H.B. 292** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS, is adopted and engrossed.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

June 14, 2016

H.B. 1009 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTIES OF GUILFORD, MOORE, RANDOLPH, AND SURRY, AND ALL OF THE MUNICIPALITIES IN THOSE COUNTIES, TO TRANSFER RETIRED SERVICE ANIMALS USED BY THE POLICE DEPARTMENT OR ANY OTHER TOWN AGENCY TO THE POLICE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, referred to the **Rules and Operations of the Senate Committee** on June 7.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **State and Local Government Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SIXTY-NINTH DAY

Senate Chamber
Wednesday, June 15, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Almighty God, we look to you now. You are the creator of all good things. We set our vision on you; give us new glasses, new eyes. When we're weak, help them be our guide in this body. Govern our state; sit in the seat of power, Lord. Help us know how we must move forward together. Lord, we are forever at your mercy. We ask that you guide us throughout this session as a family. It is in Jesus' name we pray. Amen."

Senator Apodaca announces that the Senate Journal of Tuesday, June 14, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

June 15, 2016

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

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY TO LEVY AN OCCUPANCY TAX, with a favorable report.

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORIZATIONS FOR OCCUPANCY TAX LEVIES INSIDE YADKIN COUNTY, with a favorable report.

S.B. 747, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY, with a favorable report.

S.B. 791, A BILL TO BE ENTITLED AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

S.B. 481, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45521, which changes the title to read **S.B. 481** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT AND TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, is adopted and engrossed.

June 15, 2016

By Senator Daniel for the **Transportation Committee**:

H.B. 256 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PARTIALLY DISABLED VETERANS TO PARK IN A HANDICAPPED PARKING SPACE WHEN DISPLAYING THE PARTIALLY DISABLED VETERAN SPECIAL PLATE AND TO PROVIDE THAT MEDICAL CERTIFICATION AND RECERTIFICATION REQUIREMENTS FOR HANDICAPPED PARKING PRIVILEGES MAY BE SATISFIED BY A DISABILITY DETERMINATION ISSUED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS INDICATING THE PERSON IS HANDICAPPED, with a favorable report.

H.B. 971 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT, with a favorable report.

H.B. 464 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPOSITION OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, TO PROVIDE THAT ALL MEMBERS OF THE BOARD OF TRUSTEES SHALL BE VOTING MEMBERS, TO AUTHORIZE REGIONAL TRANSPORTATION AUTHORITIES TO HIRE A CHIEF ADMINISTRATIVE OFFICER, AND TO CLARIFY THE VOTING PROCESS BY MEMBERS OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40670, is adopted and engrossed.

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

H.B. 747 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10551, which changes the title to read **H.B. 747** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MITRAGYNINE AND 7-HYDROXYMITRAGYNINE, ALSO KNOWN AS KRATOM, TO MINORS AND TO STUDY THE ABUSE OF KRATOM AND NITROUS OXIDE, is adopted and engrossed.

Upon recommendation of Senator Pate, the Senate Committee Substitute bill is re-referred to the **Judiciary II Committee**.

June 15, 2016

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.B. 817, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT, upon second reading.

Upon motion of Senator Apodaca, the bill is withdrawn from today's calendar and placed on the calendar of Saturday, June 25.

H.B. 151 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill No. 2 is withdrawn from today's calendar and placed on the calendar of Thursday, June 16.

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is withdrawn from today's calendar and placed on the calendar of Thursday, June 16.

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is withdrawn from today's calendar and placed on the calendar of Thursday, June 16.

S.R. 896, A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE, for adoption.

Upon motion of Senator Apodaca, the resolution is withdrawn from today's calendar and placed on the calendar of Thursday, June 16.

CALENDAR

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

June 15, 2016

H.B. 956 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE, upon second reading.

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 in the Senate Committee Substitute bill.

H.B. 957 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO ALLOW THE MAYOR AND COUNCIL MEMBERS TO RECEIVE COMPENSATION FOR THEIR SERVICES AS PROVIDED BY GENERAL LAW, upon second reading.

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. 1131, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF ANDREWS TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A MILE OF THE TOWN'S CORPORATE LIMITS WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, upon second reading.

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. 952 (Committee Substitute), A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, AND GASTON COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND AND GASTON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, upon second reading.

Senator Hise offers Amendment No. 1, which is adopted (49-0) and changes the title to read **H.B. 952** (Committee Substitute) A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, GASTON, AND YANCEY COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND AND GASTON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT.

June 15, 2016

The Committee Substitute bill, as amended, 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 in Senate Amendment No. 1.

H.B. 292 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS, upon second reading.

The Senate Committee Substitute bill passes its second reading (48-1) and, without objection, is read a third time and passes its third reading and is ordered sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, upon second reading.

Senator Barefoot offers Amendment No. 1, which is adopted (46-3).

Senator J. Davis offers Amendment No. 2, which is adopted (49-0).

Senator Tillman offers Amendment No. 3, which is adopted (47-2) and changes the title to read **H.B. 657** (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES.

Senator D. Davis offers Amendment No. 4, which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its second reading (34-15) 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 in the Senate Committee Substitute bill.

ENROLLED BILL AND A RESOLUTION

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

June 15, 2016

S.B. 160, AN ACT ADOPTING THE VETERANS DAY PARADE HELD IN THE TOWN OF WARSAW AS THE OFFICIAL STATE VETERANS DAY PARADE.

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. 893, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HENSON PERRYMOORE BARNES, FORMER PRESIDENT PRO TEMPORE OF THE SENATE. (Res. 2016-12)

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

CALENDAR *(continued)*

H.B. 667 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PENALTIES AND REMEDIES FOR FACILITIES LICENSED TO CARE FOR THE MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR SUBSTANCE ABUSERS AND FOR ADULT CARE HOME FACILITIES AND TO REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES, upon second reading.

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 in the Senate Committee Substitute bill.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

S.B. 888, A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15389, which changes the title to read **S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, is adopted and engrossed.

S.B. 770 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Committee Substitute bill No. 3.

June 15, 2016

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 3, 45526, is adopted and engrossed.

By Senator Daniel for the **Transportation Committee**:

H.B. 959 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10553, is adopted and engrossed.

By Senator Cook for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 763, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA JOINT LEGISLATIVE TASK FORCE ON REGULATORY REFORM, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10552, which changes the title to read **H.B. 763** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA'S MILITARY FOOTPRINT BY (1) MODIFYING THE PERMITTING PROCESS FOR WIND ENERGY FACILITIES, THE ENDORSEMENT PROCESS FOR CONSTRUCTION OF TALL BUILDINGS AND STRUCTURES, AND THE PROCEDURE FOR ADOPTING, AMENDING, OR REPEALING ORDINANCES IN ORDER TO PROVIDE THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS WITH THE RESPONSIBILITY FOR CONSIDERATION AND REVIEW OF MILITARY-RELATED CRITERIA AND (2) ESTABLISHING THE NORTH CAROLINA SENTINEL LANDS COMMITTEE TO COORDINATE THE OVERLAPPING PRIORITY AREAS IN THE VICINITY OF THE STATE'S MAJOR MILITARY INSTALLATIONS, is adopted and engrossed.

CALENDAR *(continued)*

H.B. 958, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES, upon second reading.

Upon motion of Senator Apodaca, the words of Senator Harstell spoken on H.B. 958 are spread upon the journal as follows:

June 15, 2016

SENATOR HARTSELL: “Sheyenne Marshall was a beautiful, vivacious, extraordinarily intelligent, and wonderful young woman, who, last July the 4th, while boating on Lake Norman, died a horrible death as a result of an impaired boater. This young lady was active in her church and in her community. She received numerous awards. Frankly, her high school, where she would have graduated last Saturday, went ahead and gave her her cords. She was a member of both the National Honor Society and the Beta Club. She planned to be a nurse-anesthetist, but she passed away. She was actually an inspiration, even in the face of death, to many of her colleagues—students in her high school and her community. When the Wildlife officers looked at the penalties associated with the impaired boating, at the time, the penalty for serious injury or death was a Class 2 misdemeanor, which is a maximum \$250 fine. What this bill does is simply make the penalty for a boating death or serious injury by impaired boating consistent entirely with that for a driving incident—no more, no less. The language is virtually identical. It seems truly appropriate under the circumstances in that, frankly, the condition is exactly the same. Her parents and family are here, and I commend this particular legislation to you.”

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. 970, A BILL TO BE ENTITLED AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT, upon second reading.

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.J.R. 977, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY MCGUIRE AS A SPECIAL SUPERIOR COURT JUDGE, upon second reading.

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.

H.J.R. 979, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHARLES M. VISER AS A SPECIAL SUPERIOR COURT JUDGE, upon second reading.

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.

June 15, 2016

H.J.R. 981, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF MICHAEL ROBINSON AS A SPECIAL SUPERIOR COURT JUDGE, upon second reading.

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.

H.B. 1014 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO RENAME PART 6 OF ARTICLE 1B OF CHAPTER 130A OF THE GENERAL STATUTES TO TAYLOR'S LAW ESTABLISHING THE ADVISORY COUNCIL ON RARE DISEASES, upon second reading.

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. 1145 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE GENERAL ANESTHESIA AND SEDATION DEFINITIONS RULE AND CERTAIN RELATED RULES ADOPTED BY THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS NOT TO ENFORCE CERTAIN RULES, upon second reading.

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.

S.B. 734 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Pate, the Senate concurs in the House Committee Substitute bill (48-0) and the bill is ordered enrolled and sent to the Governor.

MOTION TO RECONSIDER

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER

THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, as amended, having passed third reading earlier today.

Having voted with the majority, Senator Apodaca offers a motion that the vote by which the Senate Committee Substitute bill passed its third reading be reconsidered, which motion prevails without objection.

The Senate recesses at 4:12 p.m. to reconvene at 4:17 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, as amended, upon third reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill, as amended, is withdrawn from today's calendar and placed on the calendar of Thursday, June 16.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 382 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE SENATE BILL 612 THAT PROVIDED FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the rules are suspended and the House Committee Substitute bill is placed on today's calendar.

June 15, 2016

CALENDAR *(continued)*

S.B. 382 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE SENATE BILL 612 THAT PROVIDED FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT, for concurrence in House Committee Substitute bill.

Upon motion of Senator Newton, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled.

The Chair extends privileges of the floor to Myriam Queen from Mint Hill, North Carolina, who is serving the Senate as Nurse of the Day.

Upon motion of Senator Pate, seconded by Senator Hise, the Senate adjourns at 4:35 p.m., in memory of Sheyenne Marshall, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Thursday, June 16, at 11:00 a.m.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT AND TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, referred to the **Finance Committee** on June 14.

A sequential referral to the **Appropriations/Base Budget Committee** is added.

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE INQUIRY COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, referred to the **Judiciary II Committee** on May 17.

The Committee Substitute bill is withdrawn from the **Judiciary II Committee** and re-referred to the **Judiciary I Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

June 15, 2016

By Senator Apodaca for the **Insurance Committee**:

H.B. 19 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3), with a favorable report.

CONFERENCE REPORT

Senator Daniel, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 436** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM SERIOUS HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H436-PCCS40668-RO-1, which, upon adoption, will change the title to read, **H.B. 436** (Conference Committee Substitute), AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY.

The Conference Report is placed on the calendar of Thursday, June 16, for adoption.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

June 15, 2016

ONE HUNDRED SEVENTIETH DAY

Senate Chamber
Thursday, June 16, 2016

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

Prayer is offered by The Honorable Warren Daniel, Senator from Burke County, as follows:

“God, be merciful unto us, and bless us; and cause thy face to shine upon us; that thy way may be known upon the earth and thy saving heath among all nations. Let the people praise thee, O God; let all the people praise thee. O let the nations be glad and sing for joy: for thou shall judge the people righteously, and govern the nations upon earth. Let the people praise thee, O God; let all the people praise thee. Then shall the earth yield her increase; and God shall bless us; and all the ends of the earth shall fear thee.* In Christ’s name we pray. Amen.”

*Psalm 67, KJV

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

The Chair grants leaves of absence for today to Senator Foushee, Senator Harrington, Senator J. Jackson, and Senator Tarte.

The Chair extends privileges of the floor to Amelia Hes from Asheville, North Carolina, who is serving the Senate as Nurse of the Day.

A SENATORIAL STATEMENT

Senator Waddell submits a Senatorial Statement out of order entitled, **HONORING AND OBSERVING FATHERS IN THE OBSERVANCE OF THE NATIONAL HOLIDAY, FATHER’S DAY**. The full text can be found in the Appendix. (See pg. 416)

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

June 16, 2016

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND, with a favorable report.

H.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016, with a favorable report.

H.B. 1137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE TREASURER'S 2016 INVESTMENT AND ADMINISTRATIVE CHANGES ACT, with a favorable report.

REFERRAL OF BILLS

Upon motion of Senator Apodaca, all bills read in today will be placed on the calendar of Monday, June 20.

WITHDRAWAL FROM COMMITTEE

S.B. 371 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINE THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES, referred to the **Rules and Operations of the Senate Committee** on April 25.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR

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

June 16, 2016

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY TO LEVY AN OCCUPANCY TAX, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 41, noes 5, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, J. Davis, Gunn, Hartsell, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Sanderson, Smith, Smith-Ingram, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---41.

Voting in the negative: Senators Daniel, Ford, Meredith, Rucho and Tucker---5.

The bill remains on the calendar for Monday, June 20, upon third reading.

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORIZATIONS FOR OCCUPANCY TAX LEVIES INSIDE YADKIN COUNTY, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 43, noes 3, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Gunn, Hartsell, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Sanderson, Smith, Smith-Ingram, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: Senators Meredith, Rucho and Tucker---3.

The bill remains on the calendar for Monday, June 20, upon third reading.

S.B. 888 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, upon second reading.

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. 770 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, upon second reading.

Senator B. Jackson offers Amendment No. 1, which is adopted (46-0).

The Committee Substitute bill No. 3, as amended, passes its second reading, by roll-call vote, ayes 43, noes 3, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Gunn, Hartsell, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Waddell, Wade, Wells and Woodard---43.

June 16, 2016

Voting in the negative: Senators Chaudhuri, McKissick and Van Duyn---3.

The Committee Substitute bill No. 3, as amended, remains on the calendar for Monday, June 20, upon third reading.

S.B. 747, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY, upon second reading.

The bill passes its second reading (46-0).

Senator Gunn objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the bill placed on the calendar of Monday, June 20, upon third reading.

S.B. 791, A BILL TO BE ENTITLED AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS, upon second reading.

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. 19 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3), upon second reading.

June 16, 2016

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 in the Senate Committee Substitute bill.

H.B. 151 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, upon second reading.

Senator Krawiec offers Amendment No. 1, which is adopted (46-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (45-0) 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 in the Senate Committee Substitute bill No. 2.

H.B. 256 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PARTIALLY DISABLED VETERANS TO PARK IN A HANDICAPPED PARKING SPACE WHEN DISPLAYING THE PARTIALLY DISABLED VETERAN SPECIAL PLATE AND TO PROVIDE THAT MEDICAL CERTIFICATION AND RECERTIFICATION REQUIREMENTS FOR HANDICAPPED PARKING PRIVILEGES MAY BE SATISFIED BY A DISABILITY DETERMINATION ISSUED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS INDICATING THE PERSON IS HANDICAPPED, upon second reading.

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 and sent to the Governor.

H.B. 464 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPOSITION OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, TO PROVIDE THAT ALL MEMBERS OF THE BOARD OF TRUSTEES SHALL BE VOTING MEMBERS, TO AUTHORIZE REGIONAL TRANSPORTATION AUTHORITIES TO HIRE A CHIEF ADMINISTRATIVE OFFICER, AND TO CLARIFY THE VOTING PROCESS BY MEMBERS OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, upon second reading.

The Senate 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 sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

June 16, 2016

H.B. 763 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA'S MILITARY FOOTPRINT BY (1) MODIFYING THE PERMITTING PROCESS FOR WIND ENERGY FACILITIES, THE ENDORSEMENT PROCESS FOR CONSTRUCTION OF TALL BUILDINGS AND STRUCTURES, AND THE PROCEDURE FOR ADOPTING, AMENDING, OR REPEALING ORDINANCES IN ORDER TO PROVIDE THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS WITH THE RESPONSIBILITY FOR CONSIDERATION AND REVIEW OF MILITARY-RELATED CRITERIA AND (2) ESTABLISHING THE NORTH CAROLINA SENTINEL LANDS COMMITTEE TO COORDINATE THE OVERLAPPING PRIORITY AREAS IN THE VICINITY OF THE STATE'S MAJOR MILITARY INSTALLATIONS, upon second reading.

Upon motion of Senator Brown, without objection, the Senate Committee Substitute bill is moved to the end of today's calendar.

H.B. 959 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, upon second reading.

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 in the Senate Committee Substitute bill.

H.B. 971 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT, upon second reading.

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 enrolled and sent to the Governor.

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

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.

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION, upon second reading.

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.

June 16, 2016

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES AND TO DISALLOW THE USE OF A CAREER AND TECHNICAL EDUCATION COURSE AS A SUBSTITUTE TO SATISFY A GRADUATION REQUIREMENT FOR A FOURTH CREDIT IN MATHEMATICS, as amended, upon third reading.

Senator D. Davis offers Amendment No. 5, which is adopted (46-0).

Senator Smith-Ingram offers Amendment No. 6, which is adopted (46-0).

The Senate Committee Substitute bill, as amended, passes its third reading (33-13) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.R. 896, A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE, for adoption.

Upon motion of Senator B. Jackson, the Senate Resolution is adopted (46-0).

H.B. 436 (Conference Report), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY, for adoption.

Upon motion of Senator Daniel, the Senate adopts the Conference Report (46-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

S.B. 371 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINES THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES, for concurrence in the House Committee Substitute bill.

June 16, 2016

Senator Ford is excused from voting on the bill due to a potential conflict with his employment.

Upon motion of Senator Tucker, the Senate fails to concur in the House Committee Substitute bill (0-45) and the House of Representatives is notified by special message.

H.B. 763 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA'S MILITARY FOOTPRINT BY (1) MODIFYING THE PERMITTING PROCESS FOR WIND ENERGY FACILITIES, THE ENDORSEMENT PROCESS FOR CONSTRUCTION OF TALL BUILDINGS AND STRUCTURES, AND THE PROCEDURE FOR ADOPTING, AMENDING, OR REPEALING ORDINANCES IN ORDER TO PROVIDE THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS WITH THE RESPONSIBILITY FOR CONSIDERATION AND REVIEW OF MILITARY-RELATED CRITERIA AND (2) ESTABLISHING THE NORTH CAROLINA SENTINEL LANDS COMMITTEE TO COORDINATE THE OVERLAPPING PRIORITY AREAS IN THE VICINITY OF THE STATE'S MAJOR MILITARY INSTALLATIONS, displaced earlier upon second reading.

The Senate Committee Substitute bill passes its second reading (41-5).

Senator Brown objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Monday, June 20, upon third reading.

MOTION TO RECONSIDER

H.B. 151 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, as amended, having passed third reading earlier today.

Having voted with the majority, Senator Apodaca offers a motion that the vote by which the Senate Committee Substitute bill No. 2, as amended, passed its third reading be reconsidered, which motion prevails without objection.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

June 16, 2016

By Senator Brock for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 593 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10555, which changes the title to read **H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, is adopted and engrossed.

Pursuant to a motion by Senator Apodaca, the Senate Committee Substitute bill is placed on the calendar of Monday, June 20.

CALENDAR *(continued)*

H.B. 151 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, as amended, upon third reading.

Senator Krawiec offers Amendment No. 2, which is adopted (46-0).

The Senate Committee Substitute bill No. 2, as amended, passes its third reading (46-0) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill No. 2.

Upon motion of Senator Berger, seconded by Senator Bingham, the Senate adjourns at 12:43 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Friday, June 17, at 10:30 a.m.

ENROLLED BILLS AND RESOLUTIONS

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

S.B. 734, AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

June 16, 2016

S.B. 748, AN ACT TO CHANGE THE REPORTING DATE OF THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, AS RECOMMENDED BY THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE.

H.B. 958, AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES.

H.B. 970, AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

H.B. 1014, AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO RENAME PART 6 OF ARTICLE 1B OF CHAPTER 130A OF THE GENERAL STATUTES TO TAYLOR'S LAW ESTABLISHING THE ADVISORY COUNCIL ON RARE DISEASES.

H.B. 1145, AN ACT TO DISAPPROVE THE GENERAL ANESTHESIA AND SEDATION DEFINITIONS RULE AND CERTAIN RELATED RULES ADOPTED BY THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS NOT TO ENFORCE CERTAIN RULES.

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

S.B. 382, AN ACT TO REVISE SENATE BILL 612 THAT PROVIDED FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT.

H.B. 957, AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO ALLOW THE MAYOR AND COUNCIL MEMBERS TO RECEIVE COMPENSATION FOR THEIR SERVICES AS PROVIDED BY GENERAL LAW.

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H.B. 1131, AN ACT AUTHORIZING THE TOWN OF ANDREWS TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A MILE OF THE TOWN'S CORPORATE LIMITS WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY.

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

H.J.R. 977, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY MCGUIRE AS A SPECIAL SUPERIOR COURT JUDGE. (Res. 2016-13)

H.J.R. 979, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHARLES M. VISER AS A SPECIAL SUPERIOR COURT JUDGE. (Res. 2016-14)

H.J.R. 981, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF MICHAEL ROBINSON AS A SPECIAL SUPERIOR COURT JUDGE. (Res. 2016-15)

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.J.R. 1149, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF FRED STEEN TO THE BOARD OF REVIEW.

Referred to the **Select Committee on Nominations**.

H.B. 299 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES ACT AND THE ALARM SYSTEMS LICENSING ACT AND TO CREATE CERTAIN FEES.

Referred to the **Judiciary II Committee**.

H.B. 451 (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO EXAMINE WAYS TO PREVENT SUICIDE AMONG MINORS, VETERANS, AND EMERGENCY RESPONDERS IN NORTH CAROLINA.

Referred to the **Health Care Committee**.

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION.

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

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H.B. 1003 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FISCAL IMPACT OF SEPA REFORM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Referred to the **Transportation Committee**.

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY.

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

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN.

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

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE.

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

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO MODIFY TERMS OF APPOINTMENT FOR VARIOUS BOARDS.

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

S.B. 330 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHANGE ORDERS ON SCHOOL CONSTRUCTION PROJECTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Monday, June 20.

S.B. 536 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY DETERMINATION PROCESS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Monday, June 20.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

June 16, 2016

House of Representatives
June 16, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 436** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE THE TERM “PRACTICE LAW” FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT AND TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, referred to the **Appropriations/Base Budget Committee** on June 15.

The Committee Substitute bill is withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, June 20.

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES, referred to the **Rules and Operations of the Senate Committee** on July 22, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Health Care Committee** and upon a favorable report will be re-referred to the **Appropriations/Base Budget Committee**.

H.B. 593 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, having been placed on the calendar of Monday, June 20.

The Senate Committee Substitute bill is withdrawn from the calendar of Monday, June 20, and re-referred to the **Finance Committee**.

June 16, 2016

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-FIRST DAY

Senate Chamber
Friday, June 17, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Prayer is offered by Mr. Josh Grant, Research Assistant for Senator Kathy Harrington, as follows:

"Dear Lord, we come before you today and hold that this office exists only for the people of North Carolina. On this day, we look forward to a weekend where we celebrate those who mean much to us as fathers. Your word tells us that you are many things to us, and yet, while those labels can feel distant and cerebral, your word also tells us that you are our Father; you have taught us to pray this way. So help us feel deeply and personally the love that you have for us and the way in which you welcome us into your presence because of your Son. Lord, be with those who have been hurt by family, help us to honor those who have gone before, and cause us to love well those whom we can still embrace. But above all, grant a peace over these days, despite the hurt, uncertainty, and evil that abounds, reminding us that you are well, that you are still on the throne, and that you welcome us by name into the arms of the one who was pierced for our transgressions. We love you, and we wait expectantly for you. Amen."

Senator Gunn announces that the Senate Journal of Thursday, June 16, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

Upon motion of Senator Gunn, seconded by Senator Apodaca, the Senate adjourns at 10:35 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Monday, June 20, at 2:00 p.m.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

June 17, 2016

S.B. 872, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, referred to the **Rules and Operations of the Senate Committee** on May 11.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

H.B. 407 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW BY PROVIDING FOR THE SUPPORT OF HEALTHY DEVELOPMENT OF YOUTH IN FOSTER CARE THROUGH IMPLEMENTATION OF A REASONABLE AND PRUDENT PARENTING STANDARD FOR DECISIONS MADE BY A FOSTER PARENT OR A DESIGNATED OFFICIAL FOR A CHILD CARE INSTITUTION AND REVISING TO THE JUVENILE CODE UNDER THE LAWS PERTAINING TO ABUSE, NEGLECT, AND DEPENDENCY REGARDING JUVENILE PLACEMENT; TO PROVIDE LIABILITY INSURANCE FOR FOSTER PARENTS; TO REDUCE BARRIERS TO OBTAINING A DRIVERS LICENSE FOR FOSTER CHILDREN BY PROVIDING THAT MINORS AGED SIXTEEN AND OVER IN THE CUSTODY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ARE COMPETENT TO CONTRACT FOR AUTOMOBILE INSURANCE, BY SPECIFYING PERSONS OTHER THAN THE FOSTER PARENT WHO MAY SIGN FOR A FOSTER CHILD TO OBTAIN A LEARNER'S PERMIT OR PROVISIONAL DRIVERS LICENSE, AND BY CLARIFYING THAT FOSTER PARENTS DO NOT VIOLATE FINANCIAL RESPONSIBILITY REQUIREMENTS BY ALLOWING FOSTER CHILDREN WITH THEIR OWN INSURANCE COVERAGE TO OPERATE A VEHICLE OWNED BY THE FOSTER PARENT; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY A MEDICAID WAIVER FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCE, referred to the **Rules and Operations of the Senate Committee** on April 28, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **State and Local Government Committee**.

H.B. 884, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE SETOFF DEBT COLLECTION PROCEDURES FOR THE UNIVERSITY OF NORTH CAROLINA SCHOOLS OF MEDICINE, CLINICAL PROGRAMS, AND THE UNC HEALTH CARE SYSTEM, referred to the **State and Local Government Committee** on June 13.

Sequential referrals to the **Health Care Committee** and the **Finance Committee** are added.

June 17, 2016

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. 382, AN ACT TO REVISE SENATE BILL 612 THAT PROVIDED FOR THE MERGER AND CONSOLIDATION OF THE SCHOOL ADMINISTRATIVE UNITS IN NASH COUNTY AND THE CITY OF ROCKY MOUNT. (Became law upon ratification, June 16, 2016 - S.L. 2016-14)

H.B. 957, AN ACT AMENDING THE CHARTER OF THE CITY OF HENDERSONVILLE TO ALLOW THE MAYOR AND COUNCIL MEMBERS TO RECEIVE COMPENSATION FOR THEIR SERVICES AS PROVIDED BY GENERAL LAW. (Became law upon ratification, June 16, 2016 - S.L. 2016-15)

H.B. 1131, AN ACT AUTHORIZING THE TOWN OF ANDREWS TO EXERCISE EXTRATERRITORIAL PLANNING JURISDICTION WITHIN A MILE OF THE TOWN'S CORPORATE LIMITS WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY. (Became law upon ratification, June 16, 2016 - S.L. 2016-16)

Pursuant to Senator Gunn's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-SECOND DAY

Senate Chamber
Monday, June 20, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Bob Rucho, Senator from Mecklenburg County.

Without objection, the prayer is postponed until after recess.

Senator Rabon announces that the Senate Journal of Friday, June 17, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Senate recesses at 2:05 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 7:00 p.m.

June 20, 2016

RECESS**ENROLLED BILLS AND RESOLUTIONS**

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

S.B. 575, AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH CAROLINA AND SOUTH CAROLINA.

H.B. 283, AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION.

H.B. 436, AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM SERIOUS HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY.

H.B. 256, AN ACT TO ALLOW PARTIALLY DISABLED VETERANS TO PARK IN A HANDICAPPED PARKING SPACE WHEN DISPLAYING THE PARTIALLY DISABLED VETERAN SPECIAL PLATE AND TO PROVIDE THAT MEDICAL CERTIFICATION AND RECERTIFICATION REQUIREMENTS FOR HANDICAPPED PARKING PRIVILEGES MAY BE SATISFIED BY A DISABILITY DETERMINATION ISSUED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS INDICATING THE PERSON IS HANDICAPPED.

H.B. 971, AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

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

S.B. 881, AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS.

June 20, 2016

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

H.J.R. 978, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM "BILL" DAUGHTRIDGE, JR., TO THE NORTH CAROLINA INDUSTRIAL COMMISSION. (Res. 2016-16)

H.J.R. 980, A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF LINDA CHEATHAM TO THE NORTH CAROLINA INDUSTRIAL COMMISSION. (Res. 2016-17)

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 821, 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 I Committee** on May 10.

Sequential referrals to the **Finance Committee** and the **Rules and Operations of the Senate Committee** are added.

S.B. 822, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO TWO SECTIONS OF THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, referred to the **Judiciary I Committee** on May 10.

Sequential referrals to the **Finance Committee** and the **Rules and Operations of the Senate Committee** are added.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

H.B. 960, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10556, which changes the title to read **H.B. 960** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM

June 20, 2016

TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS, is adopted and engrossed.

By Senator Apodaca for the **Insurance Committee**:

H.B. 287 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AND CLARIFYING CHANGES TO THE LAWS GOVERNING PROFESSIONAL EMPLOYER ORGANIZATIONS, INSURANCE COMPANY DEPOSITS, CONTINUING CARE RETIREMENT COMMUNITIES, HEALTH INSURANCE EXTERNAL REVIEW, HEALTH INSURANCE FIDUCIARIES, AND INSURANCE COMPANY NAMES; TO PROVIDE FOR A STUDY OF THE HEALTH INSURANCE PREMIUM RATE REVIEW PROCESS AND MONEYS FROM THE INSURANCE REGULATORY FUND TO IMPLEMENT THAT STUDY, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE; AND TO ALLOW AN ITEMIZED INDIVIDUAL INCOME TAX DEDUCTION FOR INVESTORS WHO INCUR LOSSES FROM CRIMINALLY FRAUDULENT INVESTMENT ARRANGEMENTS, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40672, which changes the title to read **H.B. 287** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CONSUMER PROTECTIONS AND TRANSPARENCY RELATED TO MOTOR VEHICLE MAINTENANCE AND REPAIRS, LONG-TERM CARE INSURANCE, AND CONSENT TO RATE; TO STUDY VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION EFFORTS; TO INCREASE THE CRIMINAL PENALTY FOR LARGE-SCALE FRAUD COMMITTED BY AN INSURANCE FIDUCIARY AND STRENGTHEN COMMERCIAL AUTO RATE EVASION REFORM; TO MAKE VARIOUS TECHNICAL AND POLICY CHANGES TO NORTH CAROLINA'S CAPTIVE INSURANCE LAW PROVISIONS; TO ENABLE THE ESTABLISHMENT OF A STATE-BASED PRIVATE FLOOD INSURANCE MARKET; TO ENABLE INSURERS TO RECEIVE RESTITUTION FROM CONVICTED DEFENDANTS; TO EXEMPT CERTAIN ACCOUNTABLE CARE ORGANIZATIONS FROM DEPARTMENT REGULATION; AND TO MAKE OTHER AMENDMENTS TO INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT, is adopted and engrossed.

Upon recommendation of Senator Apodaca, the Senate Committee Substitute bill is re-referred to the **Judiciary II Committee**.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

June 20, 2016

H.B. 884, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE SETOFF DEBT COLLECTION PROCEDURES FOR THE UNIVERSITY OF NORTH CAROLINA SCHOOLS OF MEDICINE, CLINICAL PROGRAMS, AND THE UNC HEALTH CARE SYSTEM, referred to the **State and Local Government Committee** on June 13, with sequential referrals to the **Health Care Committee** and the **Finance Committee**.

A sequential referral to the **Appropriations/Base Budget Committee** is added.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 976 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE OVERSIGHT OF STATE SERVICE CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

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

H.B. 1007 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESPOND TO THE HOLDING IN NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, AND TO CLARIFY THE EDUCATIONAL REQUIREMENTS FOR BARBER REGISTRATION.

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

H.B. 1044 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU OF INVESTIGATION; TO PROVIDE AN EXCEPTION FOR FEES TO REIMBURSE THE HIGHWAY PATROL; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES.

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

June 20, 2016

H.B. 1047 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA LOTTERY COMMISSION TO PROVIDE CERTAIN CASH LOTTERY WINNINGS INFORMATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES; TO CROSS-CHECK WITH THE INFORMATION OF APPLICANTS FOR OR RECIPIENTS OF FOOD AND NUTRITION BENEFITS; TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE EXTENT TO WHICH NORTH CAROLINA CAN DISQUALIFY LOTTERY WINNERS FROM RECEIPT OF FOOD AND NUTRITION BENEFITS; AND TO IMPLEMENT CERTAIN DISQUALIFICATION PERIODS FOR NONCOMPLIANCE WITH WORK REQUIREMENTS FOR FOOD AND NUTRITION BENEFITS.

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

S.B. 303 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the calendar of Tuesday, June 21.

S.B. 363 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT PROVIDING THAT EMPLOYEES OF SEASONAL AMUSEMENT OR RECREATIONAL FACILITIES ARE EXEMPT FROM OVERTIME AND RECORD-KEEPING REQUIREMENTS OF THE NORTH CAROLINA WAGE AND HOUR ACT AND AUTHORIZING CITIES AND COUNTIES TO PROVIDE FOR THE PAYMENT OF ALL OR A PORTION OF THE COST OF CRITICAL INFRASTRUCTURE PROJECTS BY USING FUNDS FROM PRIVATE PARTIES AND REPAYING THE FUNDS BY MAKING SPECIAL ASSESSMENTS ON BENEFITED PROPERTY, for concurrence in the House Committee Substitute bill No. 3.

The House Committee Substitute bill No. 3 is placed on the calendar of Tuesday, June 21.

S.B. 778 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATE LAW CONCERNING PERFORMANCE GUARANTEES ON COUNTY SUBDIVISION STREETS OFFERED FOR PUBLIC DEDICATION; AND NCDOT AND CITY REQUIREMENTS FOR ROAD IMPROVEMENTS ADJACENT TO SCHOOLS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 21.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

June 20, 2016

H.B. 550 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A DEALER LICENSE PLATE TO BE DISPLAYED ON A MOTOR VEHICLE DRIVEN BY CERTAIN PERSONS EMPLOYED BY AN INDEPENDENT CAR DEALER OR RELATED TO A PERSON EMPLOYED BY AN INDEPENDENT CAR DEALER, referred to the **Transportation Committee** on May 22, 2015, with a sequential referral to the **Finance Committee**.

The sequential referral to the **Finance Committee** is removed, and the Committee Substitute bill is withdrawn from the **Transportation Committee** and re-referred to the **State and Local Government Committee**.

H.B. 100 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS, referred to the **Redistricting Committee** on June 4, 2015.

The Senate Committee Substitute bill is withdrawn from the **Redistricting Committee** and re-referred to the **Judiciary II Committee**.

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, we come before you tonight and we know that we can’t do anything without your power, without your presence and your wisdom. So shower us Lord, with each of those: the power to decide, the presence for your comfort, and the wisdom for the living of our days. We pray that you would give these leaders your wisdom tonight. It is in Jesus’ name we pray. Amen.”

The Chair grants leaves of absence for tonight to Senator Bingham and Senator Daniel.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to tonight’s calendar:

H.B. 1056, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORIZATIONS FOR OCCUPANCY TAX LEVIES INSIDE YADKIN COUNTY, upon third reading.

Upon motion of Senator Apodaca, the bill is withdrawn from today’s calendar and re-referred to the **Finance Committee**.

June 20, 2016

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY TO LEVY AN OCCUPANCY TAX, upon third reading.

Upon motion of Senator Apodaca, the bill is withdrawn from tonight's calendar and re-referred to the **Finance Committee**.

RE-REFERRAL OF A BILL

H.B. 960 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS, reported out of the **Pensions & Retirement and Aging Committee** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill is placed on tonight's calendar.

CALENDAR

Bills on tonight's calendar are taken up and disposed of as follows:

H.B. 964, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

S.B. 770 (Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, as amended, upon third reading.

The Committee Substitute bill No. 3, as amended, passes its third reading, by roll-call vote, ayes 44, noes 3, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Waddell, Wade, Wells and Woodard---44.

Voting in the negative: Senators Chaudhuri, McKissick and Van Duyn---3.

The Committee Substitute bill No. 3, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 481 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT AND TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, upon second reading.

Senator Barringer 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 by special message.

H.B. 1011 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016, upon second reading.

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. 1137 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE TREASURER'S 2016 INVESTMENT AND ADMINISTRATIVE CHANGES ACT, upon second reading.

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.

S.B. 747, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY, upon third reading.

Senator Gunn offers Amendment No. 1, which is adopted (47-0).

The bill, as amended, passes its third reading (47-0) and is ordered engrossed and sent to the House of Representatives.

H.B. 763 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA'S MILITARY FOOTPRINT BY (1) MODIFYING THE PERMITTING PROCESS FOR WIND ENERGY FACILITIES, THE ENDORSEMENT PROCESS FOR CONSTRUCTION OF TALL BUILDINGS AND STRUCTURES, AND THE PROCEDURE FOR ADOPTING, AMENDING, OR REPEALING ORDINANCES IN ORDER TO PROVIDE THE DEPARTMENT OF MILITARY AND VETERANS

AFFAIRS WITH THE RESPONSIBILITY FOR CONSIDERATION AND REVIEW OF MILITARY-RELATED CRITERIA AND (2) ESTABLISHING THE NORTH CAROLINA SENTINEL LANDS COMMITTEE TO COORDINATE THE OVERLAPPING PRIORITY AREAS IN THE VICINITY OF THE STATE'S MAJOR MILITARY INSTALLATIONS, upon third reading.

Senator Brown offers Amendment No. 1, which is adopted (43-5).

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff on the Senate chamber floor while H.B. 763 is being discussed.

Senator Brown offers Amendment No. 2, which is adopted (46-2).

Senator Brown offers Amendment No. 3, which is adopted (47-1).

Senator Hartsell offers Amendment No. 4, which fails (20-28).

Senator D. Davis offers Amendment No. 5, which is adopted (48-0).

Senator D. Davis offers Amendment No. 6, which is adopted (48-0).

Senator D. Davis offers Amendment No. 7, which is adopted (48-0).

Senator D. Davis offers Amendment No. 8, which is adopted (48-0).

Senator D. Davis offers Amendment No. 9, which is adopted (47-1).

Senator Smith-Ingram offers Amendment No. 10, which fails (18-30).

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

The Senate Committee Substitute bill, as amended, passes its third reading (33-14) and is ordered engrossed and sent to the House of Representatives for concurrence in the Senate Committee Substitute bill.

S.B. 330 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING CHANGE ORDERS ON SCHOOL CONSTRUCTION PROJECTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator McInnis, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

S.B. 536 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY DETERMINATION PROCESS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Barefoot, the Senate concurs in the House Committee Substitute bill (47-0) and the bill is ordered enrolled and sent to the Governor.

H.B. 960 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS, upon second reading.

The Senate Committee Substitute bill passes its second reading (44-2).

Senator Tillman objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Tuesday, June 21, upon third reading.

SENATE PAGES

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

Christian Beskie, Timberlake; Taylor Buchanan, Asheville; Austin Davis, Raleigh; Lillian Dotson, Clayton; Jake Edwards, Charlotte; Eli Gauldin, Southport; Finch Hobart, Wilmington; Ashley Johnson, Asheboro; Kaison King, Elon; Kensi Laube, Reidsville; Payton Laube, Reidsville; Claire Lewis, Reidsville; Angelica Lynn, Eden; Dalton McLamb, Greensboro; Audrey Meigs, Fairview; Ashlyn Pratt, Winston-Salem; Bryce Pugh, Nags Head; Lexi Ray, Knightdale; Sarah Sharpe, Hickory; Tyson Shoaf, Lexington; Sean Thomas, Fayetteville; Emma Tonnemacher, Cary; J'nea Wiggins, Knightdale; Elizabeth Wood, Hickory; and Campbell Woody, Oak Island.

Upon motion of Senator Berger, seconded by Senator Brown, the Senate adjourns at 8:39 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Tuesday, June 21, at 2:00 p.m.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE JUSTICE REINVESTMENT ACT, referred to the **Rules and Operations of the Senate Committee** on April 20, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary II Committee**.

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 20, 2016

ONE HUNDRED SEVENTY-THIRD DAY

Senate Chamber
Tuesday, June 21, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, as we pause again today, we acknowledge that it is you that is carrying us and leading us as a family. We ask that you would encourage us, each of us, from our head to our toe, that these senators and their staff and even visitors might know that you protect them. Not only do you protect them, but you love them. You have a deep concern for all that they do and all that they are. It is in Jesus’ name that we come and that we pray. Amen.”

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

The Chair grants leaves of absence for today to Senator Bingham, Senator Bryant, and Senator Daniel.

The Chair extends privileges of the floor to Denise Brigham from Greenville, North Carolina, who is serving the Senate as Nurse of the Day.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today’s calendar:

S.B. 778 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO STATE LAW CONCERNING PERFORMANCE GUARANTEES ON COUNTY SUBDIVISION STREETS OFFERED FOR PUBLIC DEDICATION; AND NCDOT AND CITY REQUIREMENTS FOR ROAD IMPROVEMENTS ADJACENT TO SCHOOLS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today’s calendar and re-referred to the **Transportation Committee**.

S.B. 363 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT PROVIDING THAT EMPLOYEES OF SEASONAL AMUSEMENT OR RECREATIONAL FACILITIES ARE EXEMPT FROM OVERTIME AND RECORD-KEEPING REQUIREMENTS OF THE NORTH CAROLINA

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WAGE AND HOUR ACT AND AUTHORIZING CITIES AND COUNTIES TO PROVIDE FOR THE PAYMENT OF ALL OR A PORTION OF THE COST OF CRITICAL INFRASTRUCTURE PROJECTS BY USING FUNDS FROM PRIVATE PARTIES AND REPAYING THE FUNDS BY MAKING SPECIAL ASSESSMENTS ON BENEFITED PROPERTY, upon second reading.

Upon motion of Senator Apodaca, the House Committee Substitute bill No. 3 is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Randleman for the **Judiciary II Committee**:

H.B. 100 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30524, which changes the title to read **H.B. 100** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS; TO RECODIFY THE STATUTE THAT PROHIBITS THE USE OF CERTAIN FORMS OF IDENTIFICATION BY STATE AND LOCAL OFFICIALS; TO REPEAL A STATUTORY EXCEPTION TO THAT STATUTE; AND TO CREATE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO COMPLY WITH STATE LAWS RELATED TO IMMIGRATION, is adopted and engrossed.

Upon recommendation of Senator Randleman, the Senate Committee Substitute bill No. 2 is re-referred to the **Appropriations/Base Budget Committee**.

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

H.B. 593 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, with a favorable report.

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S.B. 872, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15390, is adopted and engrossed.

By Senator Newton for the **Judiciary I Committee**:

S.B. 821, 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 the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15391, which changes the title to read **S.B. 821** (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 ADDITIONAL TECHNICAL AND OTHER AMENDMENTS TO THE GENERAL STATUTES, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 483 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40674, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Commerce Committee**.

H.B. 1021 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE INQUIRY COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10557, which changes the title to read **H.B. 1021** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SEX OFFENDERS ON CERTAIN PREMISES TO ADDRESS THE RULING IN DOE V. COOPER, is adopted and engrossed.

June 21, 2016

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 989, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF RED CROSS TO AUTHORIZE THE TOWN COUNCIL TO FILL A VACANCY ON THE COUNCIL AND TO CHOOSE ONE OF ITS MEMBERS TO SERVE AS MAYOR PRO TEMPORE, with a favorable report.

H.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, with a favorable report.

Upon recommendation of Senator J. Davis, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN, with a favorable report.

H.B. 984, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40673, is adopted and engrossed.

CALENDAR

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

H.B. 960 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS, upon third reading.

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

S.B. 303 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, for concurrence in the House Committee Substitute bill No. 2.

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Upon motion of Senator Barefoot, the Senate fails to concur in the House Committee Substitute bill No. 2 (1-46) and the House of Representatives is notified by special message.

Upon motion of Senator Berger, seconded by Senator Foushee, the Senate adjourns at 2:20 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Wednesday, June 22, at 12:00 p.m.

ENROLLED BILLS AND A RESOLUTION

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

S.B. 330, AN ACT TO AMEND THE LAW REGARDING CHANGE ORDERS ON SCHOOL CONSTRUCTION PROJECTS.

S.B. 536, AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY DETERMINATION PROCESS.

H.B. 292, AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS.

H.B. 870, AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME AND TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME.

H.B. 1011, AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016.

H.B. 1137, AN ACT TO ENACT THE TREASURER'S 2016 INVESTMENT AND ADMINISTRATIVE CHANGES ACT.

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

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S.B. 888, AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION.

H.B. 952, AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, AND GASTON COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND, GASTON, AND YANCEY COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT.

H.B. 964, AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND.

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. 718, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HARRIS BLAKE, FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2016-18)

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

S.B. 879, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND GRANTING COUNTYWIDE JURISDICTION TO THE POLICE DEPARTMENTS OF THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 15392, is adopted and engrossed.

Upon recommendation of Senator J. Davis, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 567, A BILL TO BE ENTITLED AN ACT TO REGULATE THE REPAIR OF AIRCRAFTS, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

June 21, 2016

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10559, which changes the title to read **H.B. 567** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MINIMUM ACREAGE REQUIREMENTS IN CERTAIN TRACTS OF LAND USED AS CEMETERIES, is adopted and engrossed.

H.B. 884, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE SETOFF DEBT COLLECTION PROCEDURES FOR THE UNIVERSITY OF NORTH CAROLINA SCHOOLS OF MEDICINE, CLINICAL PROGRAMS, AND THE UNC HEALTH CARE SYSTEM, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10560, which changes the title to read **H.B. 884** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Health Care Committee**.

H.B. 550 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A DEALER LICENSE PLATE TO BE DISPLAYED ON A MOTOR VEHICLE DRIVEN BY CERTAIN PERSONS EMPLOYED BY AN INDEPENDENT CAR DEALER OR RELATED TO A PERSON EMPLOYED BY AN INDEPENDENT CAR DEALER, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10558, which changes the title to read **H.B. 550** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE OWNERSHIP OF SERVICE ANIMALS OWNED BY THE STATE OR A UNIT OF LOCAL GOVERNMENT TO BE TRANSFERRED TO THE SERVICE ANIMAL'S HANDLER OR OTHER SPECIFIED PERSONS UPON THE SERVICE ANIMAL'S RETIREMENT FROM PUBLIC SERVICE, is adopted and engrossed.

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

S.B. 803, A BILL TO BE ENTITLED AN ACT PROVIDING THAT (I) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED BY THE CITY COUNCIL UPON RECEIPT OF A PETITION FROM REAL PROPERTY OWNERS; (II) A CITY MAY EXCLUDE PROPERTY FROM A MUNICIPAL SERVICE DISTRICT PRIOR TO OR AFTER THE CREATION OF THE DISTRICT IF THE PROPERTY DOES NOT BENEFIT FROM THE SERVICES, FACILITIES, OR FUNCTIONS OF THE DISTRICT; (III) A MUNICIPAL SERVICE DISTRICT MAY BE DEFINED, EXTENDED, CONSOLIDATED, AND ABOLISHED ONLY BY ORDINANCE; AND (IV) A CONTRACT FOR SERVICES IN A MUNICIPAL SERVICE DISTRICT WITH A PRIVATE AGENCY SHALL INCLUDE A REQUIREMENT THAT THE AGENCY REPORT THE IDENTITY OF ANY SUBCONTRACTORS, AS RECOMMENDED BY THE LRC COMMITTEE ON MUNICIPAL SERVICE DISTRICTS, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

June 21, 2016

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35369, which changes the title to read **S.B. 803** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 1033 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE FEE FOR A SPECIAL IDENTIFICATION CARD ISSUED TO A PERSON WITH A DEVELOPMENTAL DISABILITY.

Referred to the **Health Care Committee**.

H.J.R. 1130 (Committee Substitute), A JOINT RESOLUTION CONCERNING THE COMMITMENT OF THE GOVERNMENT OF THE STATE OF NORTH CAROLINA TO THE PRINCIPLES AND THE ENFORCEMENT OF THE BILL OF RIGHTS IN THE CONSTITUTION OF THE UNITED STATES OF AMERICA AND THE NORTH CAROLINA DECLARATION OF RIGHTS, WHILE HONORING THE MEMORY OF WILLIE JONES OF HALIFAX COUNTY, DAVID CALDWELL OF GUILFORD COUNTY, AND OTHER NORTH CAROLINA CITIZENS AND THE INFLUENCE THEY HAD ON THE CREATION AND ADOPTION OF THE BILL OF RIGHTS AND THE NORTH CAROLINA DECLARATION OF RIGHTS.

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

S.B. 19 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Wednesday, June 22.

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 483 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, referred to the **Commerce Committee** earlier today.

A sequential referral to the **Rules and Operations of the Senate Committee** is added.

June 21, 2016

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator J. Davis for the **State and Local Government Committee**:

H.B. 407 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALIGN STATE LAW WITH FEDERAL LAW BY PROVIDING FOR THE SUPPORT OF HEALTHY DEVELOPMENT OF YOUTH IN FOSTER CARE THROUGH IMPLEMENTATION OF A REASONABLE AND PRUDENT PARENTING STANDARD FOR DECISIONS MADE BY A FOSTER PARENT OR A DESIGNATED OFFICIAL FOR A CHILD CARE INSTITUTION AND REVISING TO THE JUVENILE CODE UNDER THE LAWS PERTAINING TO ABUSE, NEGLECT, AND DEPENDENCY REGARDING JUVENILE PLACEMENT; TO PROVIDE LIABILITY INSURANCE FOR FOSTER PARENTS; TO REDUCE BARRIERS TO OBTAINING A DRIVERS LICENSE FOR FOSTER CHILDREN BY PROVIDING THAT MINORS AGED SIXTEEN AND OVER IN THE CUSTODY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ARE COMPETENT TO CONTRACT FOR AUTOMOBILE INSURANCE, BY SPECIFYING PERSONS OTHER THAN THE FOSTER PARENT WHO MAY SIGN FOR A FOSTER CHILD TO OBTAIN A LEARNER'S PERMIT OR PROVISIONAL DRIVERS LICENSE, AND BY CLARIFYING THAT FOSTER PARENTS DO NOT VIOLATE FINANCIAL RESPONSIBILITY REQUIREMENTS BY ALLOWING FOSTER CHILDREN WITH THEIR OWN INSURANCE COVERAGE TO OPERATE A VEHICLE OWNED BY THE FOSTER PARENT; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY A MEDICAID WAIVER FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30526, which changes the title to read **H.B. 407** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO TRANSFER THE POWERS, DUTIES, AND RESPONSIBILITIES OF A PUBLIC HOUSING AUTHORITY TO A REGIONAL COUNCIL OF GOVERNMENT, is adopted and engrossed.

Upon recommendation of Senator J. Davis, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Apodaca for the **Select Committee on Nominations**:

H.J.R. 1149, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF FRED STEEN TO THE BOARD OF REVIEW, with a favorable report.

June 21, 2016

By Senator Randleman for the **Judiciary II Committee**:

H.B. 287 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CONSUMER PROTECTIONS AND TRANSPARENCY RELATED TO MOTOR VEHICLE MAINTENANCE AND REPAIRS, LONG-TERM CARE INSURANCE, AND CONSENT TO RATE; TO STUDY VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION EFFORTS; TO INCREASE THE CRIMINAL PENALTY FOR LARGE-SCALE FRAUD COMMITTED BY AN INSURANCE FIDUCIARY AND STRENGTHEN COMMERCIAL AUTO RATE EVASION REFORM; TO MAKE VARIOUS TECHNICAL AND POLICY CHANGES TO NORTH CAROLINA'S CAPTIVE INSURANCE LAW PROVISIONS; TO ENABLE THE ESTABLISHMENT OF A STATE-BASED PRIVATE FLOOD INSURANCE MARKET; TO ENABLE INSURERS TO RECEIVE RESTITUTION FROM CONVICTED DEFENDANTS; TO EXEMPT CERTAIN ACCOUNTABLE CARE ORGANIZATIONS FROM DEPARTMENT REGULATION; AND TO MAKE OTHER AMENDMENTS TO INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30525, is adopted and engrossed.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 299 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES ACT AND THE ALARM SYSTEMS LICENSING ACT AND TO CREATE CERTAIN FEES, referred to the **Judiciary II Committee** on June 16.

A sequential referral to the **Finance Committee** is added.

H.B. 1007 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESPOND TO THE HOLDING IN NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, AND TO CLARIFY THE EDUCATIONAL REQUIREMENTS FOR BARBER REGISTRATION, referred to the **Rules and Operations of the Senate Committee** on June 20.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES, referred to the **Education/Higher Education Committee** on June 14.

A sequential referral to the **Finance Committee** is added.

June 21, 2016

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. 734, AN ACT AUTHORIZING THE STATE HEALTH DIRECTOR TO PRESCRIBE OPIOID ANTAGONIST BY MEANS OF A STATEWIDE STANDING ORDER, WITH IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY FOR SUCH ACTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. (Became law upon approval of the Governor, June 20, 2016 - S.L. 2016-17)

S.B. 881, AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY THE UNION COUNTY BOARD OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE UNION COUNTY BOARD OF COMMISSIONERS. (Became law upon ratification, June 20, 2016 - S.L. 2016-18)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-FOURTH DAY

Senate Chamber
Wednesday, June 22, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

"Thank you so much, Lord, for this day that you have made, and gathering us under your wing right now. We ask you to come here, to be with us in this chamber and speak. That's all we ask, that you would speak and that you would open our ears to hear you. Open our minds and hearts to your guidance. And then, Lord, put your strong arm on our backs and lead us as we serve the people of this great state of North Carolina. And may we step out on faith, trusting in you to guide us. It is in Jesus' name we pray. Amen."

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

June 22, 2016

The Chair grants leaves of absence for today to Senator Bingham, Senator Daniel, Senator Ford, Senator Meredith, Senator Tarte, and Senator Tucker.

The Chair extends privileges of the floor to Elizabeth Meares from Southern Pines, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED BILLS

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

H.B. 464, AN ACT TO ADJUST THE COMPOSITION OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, TO PROVIDE THAT ALL MEMBERS OF THE BOARD OF TRUSTEES SHALL BE VOTING MEMBERS, TO AUTHORIZE REGIONAL TRANSPORTATION AUTHORITIES TO HIRE A CHIEF ADMINISTRATIVE OFFICER, AND TO CLARIFY THE VOTING PROCESS BY MEMBERS OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES.

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

H.B. 956, AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Barefoot for the **Education/Higher Education Committee**:

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

By Senator Wade for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL

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PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, with a favorable report.

Upon recommendation of Senator Wade, the Committee Substitute bill is referred to the **Judiciary II Committee**.

H.B. 345 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES BY TRAPPING IN PERQUIMANS COUNTY AND TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10561, which changes the title to read **H.B. 345** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, is adopted and engrossed.

A SENATORIAL STATEMENT

Senator Wade submits a Senatorial Statement out of order entitled, **CONGRATULATING CHARLES JONES ON BEING A RECIPIENT OF THE FRENCH LEGION OF HONOR**. The full text can be found in the Appendix. (See pg. 416)

Upon motion of Senator Apodaca, the words spoken by Senator Wade and Senator Rabin are spread upon the Journal as follows:

SENATOR WADE: “This Senatorial Statement is congratulating Charles Jones on being a recipient of the French Legion of Honor. I’m going to tell you a little bit about Charlie Jones. He’s in my district in Jamestown, he’s 91. He was drafted when he was 18 years old and went into the Army in World War II, in the 66th Infantry Division. Now, when he went into the Army he had ended up in the north of France. What his division did was—and I want to tell you in his own words—during that winter, they held off about 60,000 Germans that would have gone down and joined the Battle of the Bulge, which would have changed the tone of the war if they had made it down there. Charlie says there’s nothing to it, but we all know when you get an honor such as the French Legion of Honor that there was a lot to it. I just wanted to tell you all that on June 15th, Charlie Jones and eleven other World War II veterans from North Carolina received France’s Legion of Honor in a ceremony in Charlotte. This is France’s highest honor, and it recognizes outstanding service to the French Republic. At this time, I would like to say how much we appreciate the service that Charlie Jones gave us during World War II. He’s to be congratulated as a recipient of this award. At this time, if I could yield the floor to Senator Rabin; he would like to name the other eleven recipients from North Carolina.”

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SENATOR RABIN: “I would add a little bit, if I may. The French National Order of the Legion of Honor derives really from as far back as its heraldry from the Roman Legions—Napoleon with the current version, in fact, in 1802. Since that time, and through all the wars that the French have been in that we have been with them in, that award has been given for distinguished and honorable and bravery—that kind of service. There are eleven other recipients in the state. I’d like to read their names because they deserve the honor as well: Mervin E. Hogg of Wilmington, James R. Inman of Elizabethtown, Richard P. Woodson of Raleigh, Lewis E. Herron of Asheville, John W. Newman of Morrisville, Jerome M. Schwartz of Charlotte, James M. Bond of Edenton, Vincent Corsini of Burlington, Anthony J. Buccieri of Apex, Murray Lorber of Raleigh, and Jules N. Watlington of Yanceyville. I would add, to give you an idea of the dimension of the honor, these people joined such luminaries in our history as General Dwight David Eisenhower, Senator Daniel Inoye, General Lyman Lemnitzer, Charles Lindbergh, Douglas McArthur, Audie Murphy, who was the most decorated soldier of World War II, and Herbert E. Carter of the Tuskegee Airmen. It’s a great honor that the gentlemen have received, and I think they deserve our thanks as do all veterans who keep us free. Thank you.”

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today’s calendar:

H.B. 593 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today’s calendar and re-referred to the **Rules and Operations of the Senate Committee**.

H.J.R. 1149, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF FRED STEEN TO THE BOARD OF REVIEW, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR

Bills and a resolution on today’s calendar are taken up and disposed of as follows:

H.J.R. 1149, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF FRED STEEN TO THE BOARD OF REVIEW, upon second reading.

Upon motion of Senator Apodaca, the words spoken on H.J.R. 1149 are spread upon the journal as follows:

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SENATOR APODACA: “It’s a privilege and an honor today to stand up and nominate Fred Steen to the Board of Review. Fred was Mayor of the Town of Landis from 1995 to 2004. From 2004 to 2012 he had hazardous duty—he served in the North Carolina House of Representatives and lived to tell about it. Then in 2013 he went to even more dangerous ground. He was Legislative Director for Governor Pat McCrory, where he lobbied the General Assembly on behalf of the administration and advised the Governor on legislative affairs. Fred has much experience that qualifies him for this position. I think we all know Fred well, we all wish Fred well, and I encourage you to vote on his nomination before he changes his mind and doesn’t want to do it. I ask for your support.”

SENATOR BROCK: “I’ve known Fred for almost 20 years now. He came to my baptism—but no, I tell you what, he’s always been a true public servant. I first met him when he was the Mayor of Landis. For what he’s gone through—and Senator Apodaca jokingly mentioned he served in the House of Representatives under hazard pay—you have to think about what he had to face in the situation when his former employer, Pillowtex, closed its doors in Kannapolis. Landis is right next door, and 4,300 people lost their jobs that day. For him to be a steady force in our community through that time, not only as mayor, but then coming down here in Raleigh, the citizens of our area owe him a great deal of thanks and respect for the job he’s done. He’ll do a wonderful job over there. I urge you to support the resolution.”

The Joint Resolution passes its second reading (43-0) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN, upon second reading.

The bill passes its second reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: None.

The bill remains on the calendar for Thursday, June 23, upon third reading.

H.B. 989, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF RED CROSS TO AUTHORIZE THE TOWN COUNCIL TO FILL A VACANCY ON THE COUNCIL AND TO CHOOSE ONE OF ITS MEMBERS TO SERVE AS MAYOR PRO TEMPORE, upon second reading.

The bill passes its second reading and, without objection, is read a third time and passes its third reading and is ordered enrolled.

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S.B. 803 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, 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 Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---42.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, June 23, upon third reading.

S.B. 872 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Thursday, June 23, upon third reading.

H.B. 287 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ENHANCE AND IMPROVE CONSUMER PROTECTIONS AND TRANSPARENCY RELATED TO MOTOR VEHICLE MAINTENANCE AND REPAIRS, LONG-TERM CARE INSURANCE, AND CONSENT TO RATE; TO STUDY VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION EFFORTS; TO INCREASE THE CRIMINAL PENALTY FOR LARGE-SCALE FRAUD COMMITTED BY AN INSURANCE FIDUCIARY AND STRENGTHEN COMMERCIAL AUTO RATE EVASION REFORM; TO MAKE VARIOUS TECHNICAL AND POLICY CHANGES TO NORTH CAROLINA'S CAPTIVE INSURANCE LAW PROVISIONS; TO ENABLE THE ESTABLISHMENT OF A STATE-BASED PRIVATE FLOOD INSURANCE MARKET; TO ENABLE

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INSURERS TO RECEIVE RESTITUTION FROM CONVICTED DEFENDANTS; TO EXEMPT CERTAIN ACCOUNTABLE CARE ORGANIZATIONS FROM DEPARTMENT REGULATION; AND TO MAKE OTHER AMENDMENTS TO INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT, upon second reading.

Senator Apodaca offers Amendment No. 1, which is adopted (44-0).

The Senate Committee Substitute bill No. 2, as amended, passes its second reading (44-0) 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 in the Senate Committee Substitute bill No. 2.

H.B. 550 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE OWNERSHIP OF SERVICE ANIMALS OWNED BY THE STATE OR A UNIT OF LOCAL GOVERNMENT TO BE TRANSFERRED TO THE SERVICE ANIMAL'S HANDLER OR OTHER SPECIFIED PERSONS UPON THE SERVICE ANIMAL'S RETIREMENT FROM PUBLIC SERVICE, upon second reading.

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 in the Senate Committee Substitute bill.

H.B. 567 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE MINIMUM ACREAGE REQUIREMENTS IN CERTAIN TRACTS OF LAND USED AS CEMETERIES, upon second reading.

Senator Hartsell is excused from voting on the bill due to a potential conflict.

The Chair grants a leave of absence for the remainder of today's session to Senator Van Duyn.

Senator Barringer offers Amendment No. 1, which is adopted (42-0).

The Senate Committee Substitute bill, as amended, passes its second reading (40-2) 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 in the Senate Committee Substitute bill.

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

H.B. 984 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, upon second reading.

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

The Senate Committee Substitute bill passes its second reading (40-0) 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 the Senate Committee Substitute bill.

H.B. 1021 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SEX OFFENDERS ON CERTAIN PREMISES TO ADDRESS THE RULING IN DOE V. COOPER, upon second reading.

The Senate Committee Substitute bill passes its second reading (40-0).

Senator Newton objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Thursday, June 23, upon third reading.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 19 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Judiciary I Committee**.

Upon motion of Senator Pate, seconded by Senator Alexander, the Senate adjourns at 12:56 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Thursday, June 23, at 11:00 a.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 600 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO COMPENSATE APPRAISERS IN COMPLIANCE WITH FEDERAL LAW AND TO ALLOW FEDERAL APPELLATE JUDGES TO PERFORM MARRIAGE CEREMONIES, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the calendar of Thursday, June 23.

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H.B. 1088 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW RETIRED LAW ENFORCEMENT OFFICERS TO BE EMPLOYED BY A COUNTY BOARD OF ELECTIONS FOR ELECTION DAY SERVICE WITHOUT CAUSING THE SUSPENSION OF THE RETIRED OFFICERS' SPECIAL SEPARATION ALLOWANCE.

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

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 22, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 657 Senate Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES, and requests conferees. Speaker Moore has appointed:

Representative Elmore, Chair
Representative L. Johnson
Representative Horn
Representative Conrad
Representative Langdon and
Representative Millis

on the part of the House of Representatives 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, 2016

June 22, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 959 Senate Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, and requests conferees. Speaker Moore has appointed:

Representative Iler, Chair
Representative Torbett
Representative Shepard
Representative Tine
Representative Burr and
Representative Carney

on the part of the House of Representatives 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

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.J.R. 894, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN RICHARD JORDAN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, referred to the **Rules and Operations of the Senate Committee** on June 8.

The Joint Resolution is withdrawn from the **Rules and Operations of the Senate Committee** and placed on the calendar of Thursday, June 23.

H.B. 289, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS, referred to the **Rules and Operations of the Senate Committee** on August 4, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

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. 888, AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION. (Became law upon ratification, June 21, 2016 - S.L. 2016-19)

H.B. 952, AN ACT PROVIDING THAT THE CATAWBA, CLEVELAND, AND GASTON COUNTY SHERIFF'S OFFICES MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING CLEVELAND, GASTON, AND YANCEY COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT. (Became law upon ratification, June 21, 2016 - S.L. 2016-20)

H.B. 964, AN ACT TO ENHANCE THE PARTICIPATION OF RETIREE MEMBERS ON THE RETIREMENT COMMISSION OF THE WINSTON-SALEM EMPLOYEES RETIREMENT FUND. (Became law upon ratification, June 21, 2016 - S.L. 2016-21)

H.B. 956, AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE. (Became law upon ratification, June 22, 2016 - S.L. 2016-22)

S.B. 575, AN ACT TO MAKE LEGISLATIVE CHANGES TO FACILITATE THE WORK OF THE BOUNDARY COMMISSION IN CONFIRMING AND REESTABLISHING THE ORIGINAL BOUNDARY EXISTING BETWEEN THE STATES OF NORTH CAROLINA AND SOUTH CAROLINA. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-23)

S.B. 748, AN ACT TO CHANGE THE REPORTING DATE OF THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE, AS RECOMMENDED BY THE BLUE RIBBON COMMISSION TO STUDY THE BUILDING AND INFRASTRUCTURE NEEDS OF THE STATE. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-24)

H.B. 256, AN ACT TO ALLOW PARTIALLY DISABLED VETERANS TO PARK IN A HANDICAPPED PARKING SPACE WHEN DISPLAYING THE PARTIALLY DISABLED VETERAN SPECIAL PLATE AND TO PROVIDE THAT MEDICAL CERTIFICATION AND RECERTIFICATION REQUIREMENTS FOR HANDICAPPED PARKING PRIVILEGES MAY BE SATISFIED BY A DISABILITY DETERMINATION ISSUED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS INDICATING THE PERSON IS HANDICAPPED. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-25)

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H.B. 283, AN ACT TO ENHANCE CRIMINAL PENALTIES FOR PERSONS WHO COMMIT A TRESPASS TO REAL PROPERTY BY REENTERING AFTER REMOVAL PURSUANT TO A VALID ORDER OR BY KNOWINGLY CREATING OR PRESENTING A FALSE DOCUMENT OF TITLE OR POSSESSION. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-26)

H.B. 292, AN ACT TO REQUIRE A LICENSE TO OPERATE A BEACH BINGO GAME, TO AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO CHARGE AND COLLECT THAT LICENSING FEE, AND TO MAKE IT A CRIMINAL OFFENSE TO VIOLATE THE BEACH BINGO LICENSING REQUIREMENTS. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-27)

H.B. 970, AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-28)

H.B. 971, AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-29)

H.B. 1014, AN ACT TO MAKE CONFORMING CHANGES BY REMOVING OBSOLETE REFERENCES TO THE MORE AT FOUR PROGRAM IN THE GENERAL STATUTES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO RENAME PART 6 OF ARTICLE 1B OF CHAPTER 130A OF THE GENERAL STATUTES TO TAYLOR'S LAW ESTABLISHING THE ADVISORY COUNCIL ON RARE DISEASES. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-30)

H.B. 1145, AN ACT TO DISAPPROVE THE GENERAL ANESTHESIA AND SEDATION DEFINITIONS RULE AND CERTAIN RELATED RULES ADOPTED BY THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS NOT TO ENFORCE CERTAIN RULES. (Became law upon approval of the Governor, June 22, 2016 - S.L. 2016-31)

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

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ONE HUNDRED SEVENTY-FIFTH DAY

Senate Chamber
Thursday, June 23, 2016

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“O Lord, thank you for this day—for the way that you’ve made us, for the way that you care for us. We are grateful that your grace flows downhill like a stream. We plead with you that you would stay with these people, that your presence would be their portion, that your presence would be our rest. Help them to rest in your faithfulness and to know that you are their greatest portion. It is in Jesus’ name we pray. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 22, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bingham, Senator Daniel, Senator Ford, Senator Tarte, and Senator Tucker.

The Chair extends privileges of the floor to Kristie King from Asheville, North Carolina, who is serving the Senate as Nurse of the Day.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Barringer for the **Judiciary II Committee**:

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, with a favorable report.

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

H.B. 593 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

June 23, 2016

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40675, is adopted and engrossed.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today's calendar.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.B. 600 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO COMPENSATE APPRAISERS IN COMPLIANCE WITH FEDERAL LAW AND TO ALLOW FEDERAL APPELLATE JUDGES TO PERFORM MARRIAGE CEREMONIES, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator Apodaca, the House Committee Substitute bill No. 2 is withdrawn from today's calendar and placed on the calendar of Friday, June 24.

WITHDRAWAL FROM COMMITTEE

H.B. 1080 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, referred to the **Rules and Operations of the Senate Committee** on June 2.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill 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, and the Chair so orders.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN, upon third reading.

The bill passes its third reading, by roll-call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Waddell, Wade, Wells and Woodard---44.

Voting in the negative: None.

The bill is ordered enrolled.

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H.B. 345 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, upon second reading.

The Senate 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 sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

S.B. 803 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 40, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Newton, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Waddell, Wade, Wells and Woodard---40.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives by special message.

S.B. 872 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 43, noes 1, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: Senator Brock---1.

The Committee Substitute bill is ordered sent to the House of Representatives by special message.

CONVEYANCE OF BILLS

Upon motion of Senator Apodaca, without objection, all bills sent to the Governor or the House of Representatives will be sent by special message for the remainder of the 2016 regular session.

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CALENDAR *(continued)*

S.J.R. 894, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN RICHARD JORDAN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, upon second reading.

The Joint Resolution is read in its entirety.

Upon motion of Senator Apodaca, the words spoken on S.J.R. 894 are spread upon the journal as follows:

SENATOR BLUE: “Over the past couple of weeks, we’ve memorialized extraordinary North Carolinians who served in this body in the Senate, and today is no exception. My friend John Jordan led a full life, as the resolution you heard read stated. He lived to the ripe age of 95—just died in March. John was a continuation of Brokaw’s ‘Greatest Generation,’ and all of his existence spoke to that. He was a three-term senator, representing Wake, Chatham, and Lee counties at a very important crossroads time in North Carolina. In the late ‘50s, early ‘60s, he was part of the General Assembly that decided that something radical needed to be done for education in North Carolina, in Terry Sanford’s term as Governor. In one term, this body decided to move North Carolina’s schools out of the dungeons of the region and make them excel. John was part of all of that. More importantly, every aspect of him was North Carolina. Those who knew him realized quickly that he embodied everything about this state. One of his ancestors, Captain Samuel Jordan, came to the Jamestown, Virginia, colony in 1609 and served in the Virginia Assembly. For the last 400 years, his family has been in the Hertford County area. Some of the things you heard in the resolution pointed out the many things that John had gone back to Hertford County to do after he left the libraries and various other things. That was John. He had deep roots in Hertford County and in North Carolina, and he had a sense of obligation to both. His trip from eastern North Carolina was a very interesting one. He was appointed to the Naval Academy just before World War II but could not pass the visual exam. That’s how he ended up going to Chapel Hill. In Chapel Hill—pre-World War II Chapel Hill—he excelled and graduated. Following the war, he came back to the Law School at Chapel Hill and became part of a group of returning veterans—Terry Sanford, Dickson Phillips, folks like Bill Friday, Frank Porter Graham—who decided that they could do more for North Carolina and make this a different kind of and a better state. He went to work at that. I will tell you three areas where John Jordan made a tremendous difference. If you didn’t know him, when I point these out to you you’ll readily recognize that. Of course, he has all the political connections, you would imagine that. He served in the Senate and did some political stuff. He was President of the State’s Young Democrats. He led Terry Sanford’s efforts to do various things—his inaugural activities and stuff. He was a confidant to at least four governors. He ran for Lieutenant Governor himself against Bob Scott, but that defeat didn’t slow him down and certainly didn’t stop him from doing other great things. He was an advisor to Adlai Stevenson, the Democratic nominee for President in 1952 and 1956, who had the misfortune of running against Dwight

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Eisenhower. John was involved in so many things. He basically, in a political sense, in a way, he led the effort—he was chosen to lead the effort in 1999 or 2000 to have the country's newest nuclear submarine named the U.S.S. North Carolina. It's the fourth ship to bear that name. Now, since 2008, one of the fanciest nuclear submarines in our Navy bears the name the U.S.S. North Carolina primarily because of John Jordan's efforts. John was able to do something that a lot of people haven't done. He brought the Secretary of the Navy to the old Senate chambers in 2000, along with Jesse Helms and Jim Hunt, and a tremendous celebration for that achievement, getting that submarine named for our great state. He also did many other things. Two others that I will hit—as I said I would I hit just three—in higher education. A lot of people know John by the significant contributions that he made in higher education. He was on the board of higher education pre-1960. That was a board that generally had the oversight for all of the state universities. It was a mish-mash and shamble of different kinds of organizations that they had then. Following that, he was on the board, a trustee of the Consolidated University of North Carolina. All of these are precursors to the Board of Governors. The Consolidated University consisted of UNC-Chapel Hill, North Carolina State, and UNC-Greensboro. Those were the University of North Carolina schools, and everybody else was hustling and struggling on their own. John was on that board. But as importantly, he was on the Commission for Higher Education Facilities, which is a group that had the authority and spent hundreds of millions of dollars doing structures on all the campuses in the university at the time, making wise decisions that served us very well. He was on the first Board of Governors of the UNC system—first elected in 1973, and reelected and reelected and reelected. He served as Chair of that board for two terms during some very trying times, as the university made its efforts to totally desegregate and in controversies with the U.S. Justice Department over policies in the university. He led the university, with his good friend, Bill Friday, through some very tumultuous times and led them through them very successfully. In his professional career, after he left the University Board of Governors, he also, again, remembered back home. He went on the Chowan College Board of Trustees. His grandfather had been one of the founders of Chowan College, and he felt obligated to give service back there. He served as Chair of that Board of Trustees and continued his efforts to make North Carolina better. In his personal career—and this is where you will probably see the significance of John's presence—he was a lawyer, as you've been told—near more than 40 years in that capacity. He was an expert in banking law and the law of financial services. That's where he earned his living at across this country. He was not only acknowledged as an expert in North Carolina but throughout the region and in many other areas of the country, practicing before the Federal Reserve Board. Now, all of that's important for one reason. In the 1980s, the effort was being made to consolidate banks. Banks could not go across state lines. All around us, banks were figuring out, or legislatures were figuring out, how to let their banks go across state lines, and they were entering into compacts—Georgia, South Carolina, Virginia, all around us. North Carolina was not doing it, because of experiences from the

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Great Depression. John Jordan was chosen by the banking industry, because he knew so much about banking, to lead the effort to convince this General Assembly of what interstate banking could do for North Carolina. As a result of his efforts, we passed the Interstate Banking Law, and within two weeks, North Carolina's banks—the big ones at the time that couldn't expand beyond North Carolina: Nations Bank—then NCNB—First Union, Wachovia, First Citizens—had started gathering up banks in the region. So, North Carolina became the first regional banking center, not Atlanta, not the Texas cities, and not the other big cities in the South, but North Carolina. Because of the effort that John had made in interstate banking, the News and Observer ran an editorial about him and said that they didn't know whether E. F. Hutton had it right or not, but they were sure that when John Jordan spoke, everybody in the General Assembly listened because of the success of that effort. So, John Jordan can claim much credit for making Charlotte, North Carolina, the second major financial center in this country, behind only New York, because of the vision as to what updated, modern banking laws could do. Lastly, my friends—then I'll shut up—lastly, I wanted to tell you that John Jordan loved this state in so many ways. What he did that touched so many people had to do with his quest for and appreciation of knowledge. You heard in the resolution that he loved books. Well, he did love books. He founded libraries—very supportive of the D. H. Hill Library at N.C. State and libraries all across the state—maintained them. His books will be gifted in time to collections that are invaluable—nationally recognized collections. But most importantly, John Jordan shared his love of books, and his books, with others. He gifted thousands of books to his friends, acquaintances, legislators, and others based on subjects that he thought that they would be interested in. So, as I commend this resolution to you, as a recipient of probably half a dozen of those books that look like this—I had expressed some interest to John at one time about world history. This is a history—modern history—an illustrated history of the modern world—a survey of world events from the French Revolution to the present day. Believe or not, I read it, but more importantly than the book itself is the encouragement and the messages that John would always inscribe into these books. Legislators who were here during that time, or even during the late '90s, will share that experience with you. This is what he said to me as he tried to lift me up in Christmas 1993, when he gave me this book. He said, 'Best wishes to Dan Blue, who continues to articulate and be a spokesman for so much that is good for North Carolina, from his admiring friend, John Jordan.' He didn't do that just for me. Of the thousands of books that John gave away to someone or another to quench the thirst for knowledge that so many of us had, he inserted those personal notes that made you feel some way or other that this is the thought that you'd been looking for and this is going to make your day much fuller. My friends, as I said, we've had some great memorials and some great people. John Jordan is truly in the progression of the Greatest Generation. He paid his debt to North Carolina, and all of us—all of us—continue to benefit from that. I commend the resolution to you."

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SENATOR HARTSELL: “I can’t add much to what Senator Blue just said. I happened to get to know John Jordan early in my career here in the General Assembly. I would simply say this: he was, truly, a lawyer’s lawyer because he was probably one of the finest technicians. He knew technical amendments before I ever thought about them, and he actually submitted them to me when we were dealing with the Uniform Commercial Code and other areas. I remember it very well. But he always knew what he was, who he was, and where he wanted to go and where he wanted the state to go. I can say that all of it was beneficial, not just to this legislature, not to just this state, but, frankly, to this nation and, as a member of the Greatest Generation, this world. Thank you.”

SENATOR SMITH-INGRAM: “I want to thank Senator Blue for sending forth this resolution in honor of John R. Jordan, Jr. Representing Hertford County, it didn’t take me long to learn what a hometown hero that he is. He has commended upon me and everyone who was assembled here the importance of placing service over self. Graduating in the top percentile of his law school class, he could have paved his way anywhere, but instead he opened his own law firm, he rolled up his sleeves, and he served generation after generation. He never forgot the bridge that brought him over. Many of us, who are impacted by his legacy and his great contributions throughout his lifetime, are fully and totally indebted. I want to thank him and his family for sharing his legacy with all of us. His lifelong achievements and legacy of service will live on in the lives of so many. Truly as the apostle said, his works will speak for him, and they will live on to follow.”

The Joint Resolution 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 by special message.

H.B. 1021 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING SEX OFFENDERS ON CERTAIN PREMISES TO ADDRESS THE RULING IN DOE V. COOPER, upon third reading.

Senator Newton offers Amendment No. 1, which is adopted (44-0).

The Senate Committee Substitute bill, as amended, passes its third reading (44-0) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 289, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS, with a favorable report.

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H.B. 407 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO TRANSFER THE POWERS, DUTIES, AND RESPONSIBILITIES OF A PUBLIC HOUSING AUTHORITY TO A REGIONAL COUNCIL OF GOVERNMENT, with a favorable report.

H.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, with a favorable report.

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES, with a favorable report.

CALENDAR *(continued)*

H.B. 593 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS, upon second reading.

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

The Senate Committee Substitute bill No. 2 passes its second reading (27-16) 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, for concurrence in the Senate Committee Substitute bill No. 2.

Upon motion of Senator Berger, seconded by Senator Rucho, the Senate adjourns at 11:56 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Friday, June 24, at 9:30 a.m.

ENROLLED BILLS AND A RESOLUTION

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

S.B. 805, AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S.B. 807, AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

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H.B. 19, AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3).

H.B. 667, AN ACT TO AMEND PENALTIES AND REMEDIES FOR FACILITIES LICENSED TO CARE FOR THE MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR SUBSTANCE ABUSERS AND FOR ADULT CARE HOME FACILITIES AND TO REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES.

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

H.B. 989, AN ACT AMENDING THE CHARTER OF THE TOWN OF RED CROSS TO AUTHORIZE THE TOWN COUNCIL TO FILL A VACANCY ON THE COUNCIL AND TO CHOOSE ONE OF ITS MEMBERS TO SERVE AS MAYOR PRO TEMPORE.

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. 1149, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF FRED STEEN TO THE BOARD OF REVIEW. (Res. 2016-19)

INTRODUCTION OF A BILL

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

By Senator Apodaca:

S.B. 897, A BILL TO BE ENTITLED AN ACT TO PROVIDE ELECTORAL DISTRICTS FOR THE CITY OF ASHEVILLE.

Referred to the **Redistricting Committee**.

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REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Insurance Committee**:

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LONGLEAF SCHOOL OF THE ARTS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, with a favorable report.

By Senator Hartsell for the **Judiciary I Committee**:

S.B. 19 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS, favorable as to concurrence.

H.B. 678 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE COMMISSION, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10564, is adopted and engrossed.

H.B. 392 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO MAKE CHANGES RELATED TO THE MEMBERSHIP AND OPERATION OF THE PUBLIC WORKS COMMISSION, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40678, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

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

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY TO LEVY AN OCCUPANCY TAX, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40677, which changes the title to read **H.B. 1039** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, is adopted and engrossed.

By Senator Barringer for the **Judiciary II Committee**:

H.B. 253 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE JUSTICE REINVESTMENT ACT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40679, is adopted and engrossed.

H.B. 1044 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU OF INVESTIGATION; TO PROVIDE AN EXCEPTION FOR FEES TO REIMBURSE THE HIGHWAY PATROL; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30530, which changes the title to read **H.B. 1044** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU OF INVESTIGATION; TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES; AND TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENED, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 747 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MITRAGYNINE AND 7-HYDROXYMITRAGYNINE, ALSO KNOWN AS KRATOM, TO MINORS AND TO STUDY THE ABUSE OF KRATOM AND NITROUS OXIDE, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30529, is adopted and engrossed.

By Senator Apodaca for the **Insurance Committee**:

S.B. 865, A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES, TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN, AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45540, which changes the title to read **S.B. 865** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES, is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 482 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

S.B. 792 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

S.B. 795 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

S.B. 831 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

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S.B. 849 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

S.B. 883 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, June 24.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY, referred to the **State and Local Government Committee** on June 16.

A sequential referral to the **Finance Committee** is added.

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE, referred to the **State and Local Government Committee** on June 16.

A sequential referral to the **Finance Committee** is added.

CHAPTERED BILL

The Enrolling Clerk reports the following bill properly enrolled, assigned the following Chapter Number, and presented to the Office of the Secretary of State:

H.B. 989, AN ACT AMENDING THE CHARTER OF THE TOWN OF RED CROSS TO AUTHORIZE THE TOWN COUNCIL TO FILL A VACANCY ON THE COUNCIL AND TO CHOOSE ONE OF ITS MEMBERS TO SERVE AS MAYOR PRO TEMPORE. (Became law upon ratification, June 23, 2016 - S.L. 2016-32)

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Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-SIXTH DAY

Senate Chamber
Friday, June 24, 2016

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

The Senate recesses at 9:34 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 3:30 p.m.

RECESS

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Meredith for the **Commerce Committee**:

H.B. 483 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, with a favorable report.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Rules and Operations of the Senate Committee**.

By Senator Sanderson for the **State and Local Government Committee**:

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

H.B. 1058, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE, with a favorable report.

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H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE, with a favorable report.

Pursuant to Rule 43, the Committee Substitute bill No. 2 is re-referred to the **Finance Committee**.

H.B. 1143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TEMPORARILY SUSPEND THE CHARTER OF THE TOWN OF SPENCER MOUNTAIN, with a favorable report.

By Senator Rucho for the **Redistricting Committee**:

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN, with a favorable report.

By Senator Meredith for the **Commerce Committee**:

H.B. 805 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30531, is adopted and engrossed.

By Senator Rucho for the **Redistricting Committee**:

S.B. 897, A BILL TO BE ENTITLED AN ACT TO PROVIDE ELECTORAL DISTRICTS FOR THE CITY OF ASHEVILLE, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 45541, is adopted and engrossed.

By Senator Rabon for the **Transportation Committee**:

H.B. 523, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO USE A CERTAIN DESIGNATION ON DRIVERS LICENSES WHEN LISTING THE RACE OF AN APPLICANT WHO IS AMERICAN INDIAN, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10566, is adopted and engrossed.

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H.B. 594, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS THAT MUST BE MET TO OBTAIN A TEMPORARY SUPPLEMENTAL LICENSE FOR THE SALE OF ANTIQUE MOTOR VEHICLES AND SPECIALTY MOTOR VEHICLES AND TO EXPAND THE DEFINITION OF A "SPECIALTY MOTOR VEHICLE", with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10565, which changes the title to read **H.B. 594** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR VEHICLES, AND FORMAT, is adopted and engrossed.

By Senator Tillman for the **Education/Higher Education Committee**:

S.B. 554, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION TO ENTER INTO LEASES FOR SCHOOL BUILDINGS AND OTHER FACILITIES, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35375, which changes the title to read **S.B. 554** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION TO ENTER INTO LEASES FOR SCHOOL BUILDINGS AND SCHOOL FACILITIES AND TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE FAST-TRACK CHARTER SCHOOL REPLICATION DECISIONS WITHIN ONE HUNDRED TWENTY DAYS, is adopted and engrossed.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Finance Committee**.

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

H.B. 100 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS; TO RECODIFY THE STATUTE THAT PROHIBITS THE USE OF CERTAIN FORMS OF IDENTIFICATION BY STATE AND LOCAL OFFICIALS; TO REPEAL A STATUTORY EXCEPTION TO THAT STATUTE; AND TO CREATE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO COMPLY WITH STATE LAWS RELATED TO IMMIGRATION, with a favorable report.

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

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40682, which changes the title to read **H.B. 3** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE; TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES; TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND; TO REDUCE THE MAXIMUM INCOME TAX RATE TO FIVE AND ONE-HALF PERCENT FROM TEN PERCENT; AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, is adopted and engrossed.

By Senator Apodaca for the **Pensions & Retirement and Aging Committee**:

S.B. 886, A BILL TO BE ENTITLED AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35376, which changes the title to read **S.B. 886** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE PENSION AND RETIREMENT AMENDMENTS, is adopted and engrossed.

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

H.B. 424, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PROVISION OF FOSTER CARE TO THE AGE OF NINETEEN YEARS AND MAKE VARIOUS CONFORMING STATUTORY CHANGES; AUTHORIZE THE SOCIAL SERVICES COMMISSION TO ADOPT RULES IMPLEMENTING THE EXPANSION OF FOSTER CARE THROUGH AGE NINETEEN; PROVIDE FOR THE EXTENSION OF GUARDIANSHIP SERVICES THROUGH AGE NINETEEN; REQUIRE THE SUBMISSION OF A STATE PLAN AMENDMENT TO DRAW DOWN FEDERAL IV-E FUNDS FOR THE EXPANSION OF FOSTER CARE THROUGH AGE NINETEEN; AND APPROPRIATE FUNDS TO IMPLEMENT THE PURPOSES OF THIS ACT, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

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Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10567, which changes the title to read **H.B. 424** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES, is adopted and engrossed.

Upon recommendation of Senator Hise, the Senate Committee Substitute bill is re-referred to the **Judiciary I Committee**.

H.B. 842 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10568, is adopted and engrossed.

Pursuant to Rule 43, the Senate Committee Substitute bill is re-referred to the **Appropriations/Base Budget Committee**.

By Senator Tillman for the **Education/Higher Education Committee**:

H.B. 1080 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10569, is adopted and engrossed.

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly father, we thank you for meeting us here. We pray for those in West Virginia that have experienced rain like we had here last night, but it’s been overflowing. We pray for families and for loved ones of those who have not survived. Thank you Lord, for being our God and for giving us the opportunity to continue this journey together as a family. We ask you to give us endurance and strength—the strength that only you can provide. And we ask this all in the name of Jesus. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Thursday, June 23, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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The Chair grants leaves of absence for today to Senator Bingham, Senator Daniel, Senator J. Davis, Senator Ford, Senator Foushee, Senator J. Jackson, Senator Rabin, Senator Smith-Ingram, and Senator Tarte.

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.B. 482 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Tuesday, June 28.

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Monday, June 27.

WITHDRAWAL FROM COMMITTEE

H.B. 842 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES, referred to the **Appropriations/Base Budget Committee** earlier today.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the **Appropriations/Base Budget Committee** and placed on the calendar of Monday, June 27, which motion prevails with unanimous consent, and the Chair so orders.

WITHDRAWAL FROM A FUTURE CALENDAR

S.B. 817, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT, having been placed on the calendar of Saturday, June 25.

Senator Apodaca offers a motion that the bill be withdrawn from the calendar of Saturday, June 25, and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

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CALENDAR

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

H.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, upon second reading.

The Committee Substitute bill passes its second reading, by roll-call vote, ayes 40, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, Meredith, Newton, Pate, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---40.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Monday, June 27, upon third reading.

H.B. 1039 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, upon second reading.

The Senate Committee Substitute bill passes its second reading, by roll-call vote, ayes 34, noes 6, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barringer, Berger, Blue, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, Gunn, Hartsell, B. Jackson, Krawiec, Lee, Lowe, McInnis, Meredith, Newton, Pate, Rabon, Randleman, Robinson, Sanderson, Smith, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---34.

Voting in the negative: Senators Barefoot, Brock, Harrington, Hise, Rucho and Tucker---6.

The Senate Committee Substitute bill remains on the calendar for Monday, June 27, upon third reading.

S.B. 795 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Sanderson, the Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled.

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S.B. 831 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator B. Jackson, the Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled.

S.B. 849 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled.

S.B. 883 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (40-0) and the bill is ordered enrolled.

H.B. 289, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS, upon second reading.

Senator Alexander is excused from voting on the bill due to a conflict of interest.

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

The bill passes its second reading, by roll-call vote, ayes 35, noes 3, as follows:

Voting in the affirmative: Senators Apodaca, Ballard, Barefoot, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, D. Davis, Gunn, Harrington, Hartsell, Hise, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabon, Randleman, Robinson, Rucho, Sanderson, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---35.

Voting in the negative: Senators Barringer, Clark and B. Jackson---3.

The bill remains on the calendar for Monday, June 27, upon third reading.

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H.B. 407 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO TRANSFER THE POWERS, DUTIES, AND RESPONSIBILITIES OF A PUBLIC HOUSING AUTHORITY TO A REGIONAL COUNCIL OF GOVERNMENT, upon second reading.

Senator Wells offers Amendment No. 1, which is adopted (38-0).

The Senate Committee Substitute bill, as amended, passes its second reading, by roll-call vote, ayes 38, noes 1, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, D. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabon, Randleman, Robinson, Rucho, Sanderson, Tillman, Tucker, Van Duyn, Wade, Wells and Woodard---38.

Voting in the negative: Senator Waddell---1.

The Senate Committee Substitute bill, as amended, remains on the calendar for Monday, June 27, upon third reading.

S.B. 815, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LONGLEAF SCHOOL OF THE ARTS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, upon second reading.

The bill passes its second reading (40-0) 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. 865 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES, upon second reading.

The Committee Substitute bill passes its second reading (40-0) 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. 253 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE JUSTICE REINVESTMENT ACT, upon second reading.

Senator Randleman offers Amendment No. 1, which is adopted (39-0).

The Senate Committee Substitute bill, as amended, passes its second reading (40-0) 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, for concurrence in the Senate Committee Substitute bill.

H.B. 678 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE COMMISSION, upon second reading.

Senator Lee offers Amendment No. 1, which is adopted (39-1).

The Senate Committee Substitute bill, as amended, passes its second reading (39-1) 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, for concurrence in the Senate Committee Substitute bill.

H.B. 747 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OF MITRAGYNINE AND 7-HYDROXYMITRAGYNINE, ALSO KNOWN AS KRATOM, TO MINORS AND TO STUDY THE ABUSE OF KRATOM AND NITROUS OXIDE, upon second reading.

The Senate Committee Substitute bill No. 2 passes its second reading (40-0) 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, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 1035 (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES, upon second reading.

The Committee Substitute bill passes its second reading (39-0) 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. 19 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS, for concurrence in the House Committee Substitute bill.

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

Upon motion of Senator Lee, the Senate concurs in the House Committee Substitute bill (39-0) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 600 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO COMPENSATE APPRAISERS IN COMPLIANCE WITH FEDERAL LAW AND TO ALLOW FEDERAL APPELLATE JUDGES TO PERFORM MARRIAGE CEREMONIES, for concurrence in the House Committee Substitute bill No. 2.

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Upon motion of Senator Brown, the Senate concurs in the House Committee Substitute bill No. 2 (35-4) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 792 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Hise, the Senate concurs in the House Committee Substitute bill (39-0) and the bill is ordered enrolled and sent to the Governor by special message.

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

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

H.B. 1033 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE FEE FOR A SPECIAL IDENTIFICATION CARD ISSUED TO A PERSON WITH A DEVELOPMENTAL DISABILITY, with a favorable report.

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

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY, with a favorable report.

H.B. 1044 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU

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OF INVESTIGATION; TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES; AND TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENED, with a favorable report.

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE, with a favorable report.

WITHDRAWAL FROM COMMITTEE

S.B. 363 (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT PROVIDING THAT EMPLOYEES OF SEASONAL AMUSEMENT OR RECREATIONAL FACILITIES ARE EXEMPT FROM OVERTIME AND RECORD-KEEPING REQUIREMENTS OF THE NORTH CAROLINA WAGE AND HOUR ACT AND AUTHORIZING CITIES AND COUNTIES TO PROVIDE FOR THE PAYMENT OF ALL OR A PORTION OF THE COST OF CRITICAL INFRASTRUCTURE PROJECTS BY USING FUNDS FROM PRIVATE PARTIES AND REPAYING THE FUNDS BY MAKING SPECIAL ASSESSMENTS ON BENEFITED PROPERTY, referred to the **Rules and Operations of the Senate Committee** on June 21.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the House Committee Substitute bill No. 3 be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**, which motion prevails with unanimous consent, and the Chair so orders.

Upon motion of Senator Pate, seconded by Senator Woodard, the Senate adjourns at 4:28 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Monday, June 27, at 9:00 a.m.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 392 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO MAKE CHANGES RELATED TO THE MEMBERSHIP AND OPERATION OF THE PUBLIC WORKS COMMISSION, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40683, is adopted and engrossed.

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H.B. 533 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN THE LIEN FOR DEFERRED TAXES ON LAND ELIGIBLE FOR PRESENT-USE VALUE CLASSIFICATION IS EXTINGUISHED IN ORDER TO PROMOTE SALES FOR LAND CONSERVATION USES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40684, which changes the title to read **H.B. 533** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN THE LIEN FOR DEFERRED TAXES ON LAND ELIGIBLE FOR PRESENT-USE VALUE CLASSIFICATION IS EXTINGUISHED IN ORDER TO PROMOTE SALES FOR LAND CONSERVATION USES AND TO ALLOW A TAXPAYER TO CONTEST A DENIAL OF A CLAIM FOR REFUND WHICH THE DEPARTMENT OF REVENUE DETERMINES TO BE OUTSIDE THE STATUTE OF LIMITATIONS, is adopted and engrossed.

APPOINTMENT OF ADDITIONAL CONFEREES

H.B. 561 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS, as amended by the Senate.

Due to the resignation of Senator Soucek, Senator Phil Berger, President *Pro Tempore*, appoints Senator Tucker, Chair; and Senator Lee as additional conferees on the part of the Senate to the conference committee for H.B. 561. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

APPOINTMENT OF CONFERENCE COMMITTEES

H.B. 657 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE RIGOR, FOCUS, AND CAREER READINESS TO THE MATHEMATICS STANDARD COURSE OF STUDY BY REQUIRING THE STATE BOARD OF EDUCATION TO MODIFY AND REVISE THE MATHEMATICS STANDARD COURSE OF STUDY IN ORDER TO OFFER THE TRADITIONAL SEQUENCE OF MATHEMATICS COURSES.

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. 657 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Tillman, Chair; Senator Barefoot, Senator Lee, Senator Krawiec, and Senator Smith-Ingram as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

H.B. 817 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016.

Pursuant to the message from the House of Representatives received June 14, that the House fails to concur in the Senate Committee Substitute bill for H.B. 817 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Barringer, Chair; Senator Sanderson, Senator Daniel, Senator Randleman, and Senator Bryant as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

H.B. 959 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

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. 959 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints of Senator Rabon, Chair; Senator Harrington, Senator Meredith, Senator Daniel, Senator Hise, and Senator Ford as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

S.B. 371 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINE THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 371 on June 16, Senator Phil Berger, President *Pro Tempore*, appoints Senator Hartsell, Chair; Senator Hise, Senator Pate, Senator Tucker, and Senator McKissick as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

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RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 303 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT, MEDIATION IN DISTRICT COURT DOMESTIC CASES, AND THE REGULATION OF MEDIATORS, TO ESTABLISH A DISPUTE RESOLUTION FUND FOR MONIES COLLECTED THROUGH THE EXISTING ADMINISTRATIVE FEE FOR THE CERTIFICATION OF MEDIATORS AND MEDIATION TRAINING PROGRAMS, AND TO MAKE IT UNLAWFUL TO FALSELY REPRESENT ONESELF AS A CERTIFIED MEDIATOR OR TO FALSELY REPRESENT A MEDIATOR TRAINING PROGRAM AS CERTIFIED, referred to the **Appropriations/Base Budget Committee** on May 19.

The Committee Substitute bill is withdrawn from the **Appropriations/Base Budget Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 1061 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING AMENDMENTS TO CLARIFY THAT TENANCY BY THE ENTIRETY IS PRESERVED IN THIS STATE IN LIGHT OF THE UNITED STATES SUPREME COURT DECISION IN OBERGEFELL V. HODGES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE OTHER CHANGES TO MORTGAGE DEEDS OF TRUST LAWS, referred to the **Judiciary I Committee** on June 9.

The Committee Substitute bill is withdrawn from the **Judiciary I Committee** and re-referred to the **Rules and Operations of the Senate Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 554 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION TO ENTER INTO LEASES FOR SCHOOL BUILDINGS AND SCHOOL FACILITIES AND TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE FAST-TRACK CHARTER SCHOOL REPLICATION DECISIONS WITHIN ONE HUNDRED TWENTY DAYS, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

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Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45542, is adopted and engrossed.

Pursuant to Senator Pate's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-SEVENTH DAY

Senate Chamber
Monday, June 27, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Ralph Hise, Senator from Mitchell County.

The Senate recesses at 9:01 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 3:30 p.m.

RECESS

RE-REFERRAL OF A BILL

Senator Apodaca orders the re-referral of a bill as follows:

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE, referred to the **Rules and Operations of the Senate Committee** on June 7.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

INTRODUCTION OF A BILL

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

By Senator Apodaca:

S.B. 898, 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**.

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ENROLLED BILLS AND A RESOLUTION

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

S.B. 19, AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS.

S.B. 600, AN ACT TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO COMPENSATE APPRAISERS IN COMPLIANCE WITH FEDERAL LAW AND TO ALLOW FEDERAL APPELLATE JUDGES TO PERFORM MARRIAGE CEREMONIES.

S.B. 792, AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS.

H.B. 567, AN ACT TO MODIFY THE MINIMUM ACREAGE REQUIREMENTS IN CERTAIN TRACTS OF LAND USED AS CEMETERIES.

H.B. 960, AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS.

H.B. 1035, AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES.

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

S.B. 787, AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY.

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S.B. 795, AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING.

S.B. 831, AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT.

S.B. 849, AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL.

S.B. 880, AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY.

S.B. 883, AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY.

H.B. 1045, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN.

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. 894, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN RICHARD JORDAN, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY. (Res. 2016-20)

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Heavenly Father, we come before you, and we thank you for bringing us here today into this place. You are good even when we forget you, even when we think that our lives are sufficient without you. You remind us that you are good and without you we can do nothing. Lord, I pray that this body, this group of people who represent so many different people—from Asheville to Ahoskie

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to Franklinton, down to Asheboro, even here in Raleigh, Smithfield, Laurinburg—all these places, that we would rely on you, Lord, as we pass legislation, and as we finish this session strong. Be with us now, Lord. It's in your name we pray, Jesus. Amen.”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Friday, June 24, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

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

MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

H.B. 1044 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU OF INVESTIGATION; TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES; AND TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENED, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 805 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and placed on the calendar of Tuesday, June 28.

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H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, upon second reading.

Upon motion of Senator Apodaca, the Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

WITHDRAWAL FROM COMMITTEE

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, referred to the **Health Care Committee** on June 21.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill be withdrawn from the **Health Care Committee** and placed on today's calendar, which motion prevails with unanimous consent, and the Chair so orders.

CALENDAR

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

H.B. 1017 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD, upon third reading.

The Committee Substitute bill passes its third reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---45.

Voting in the negative: Senators Brock, Meredith and Tillman---3.

The Committee Substitute bill is ordered enrolled.

H.B. 1039 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, upon third reading.

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The Senate Committee Substitute bill passes its third reading, by roll-call vote, ayes 40, noes 8, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Berger, Bingham, Blue, Brown, Bryant, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Foushee, Gunn, Hartsell, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Van Duyn, Waddell, Wade, Wells and Woodard---40.

Voting in the negative: Senators Barefoot, Brock, Chaudhuri, Ford, Harrington, Hise, J. Jackson and Tucker---8.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY, 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 Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabon, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill remains on the calendar for Tuesday, June 28, upon third reading.

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE, upon second reading.

The Committee Substitute bill No. 2 passes its second reading, by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The Committee Substitute bill No. 2 remains on the calendar for Tuesday, June 28, upon third reading.

S.B. 897 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ELECTORAL DISTRICTS FOR THE CITY OF ASHEVILLE, upon second reading.

The Committee Substitute bill passes its second reading (33-16) 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. 392 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO MAKE CHANGES RELATED TO THE MEMBERSHIP AND OPERATION OF THE PUBLIC WORKS COMMISSION, upon second reading.

The Senate 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 sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 1143 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TEMPORARILY SUSPEND THE CHARTER OF THE TOWN OF SPENCER MOUNTAIN, upon second reading.

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. 1058, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE, upon second reading.

The bill passes its second reading (48-1) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN, upon second reading.

The bill passes its second reading (33-16) and, without objection, is read a third time and passes its third reading and is ordered enrolled.

H.B. 289, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS, upon third reading.

Senator Alexander is excused from voting on the bill due to a conflict of interest.

The bill passes its third reading, by roll-call vote, ayes 45, noes 3, as follows:

Voting in the affirmative: Senators Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---45.

Voting in the negative: Senators Clark, Ford and B. Jackson---3.

The bill is ordered enrolled and sent to the Governor by special message.

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MOTION TO RECONSIDER

H.B. 1039 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, having passed third reading earlier today.

Having voted with the majority, Senator Apodaca offers a motion that the vote by which the Senate Committee Substitute bill passed its third reading earlier today be reconsidered, which motion prevails without objection.

CALENDAR *(continued)*

H.B. 1039 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, upon third reading.

Senator Rucho offers Amendment No. 1, which is adopted (48-1).

The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 38, noes 11, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Berger, Bingham, Blue, Brown, Bryant, Clark, Cook, Curtis, D. Davis, J. Davis, Foushee, Gunn, Hartsell, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Waddell, Wade, Wells and Woodard---38.

Voting in the negative: Senators Barefoot, Brock, Chaudhuri, Daniel, Ford, Harrington, Hise, J. Jackson, Randleman, Tucker and Van Duyn---11.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 407 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO TRANSFER THE POWERS, DUTIES, AND RESPONSIBILITIES OF A PUBLIC HOUSING AUTHORITY TO A REGIONAL COUNCIL OF GOVERNMENT, as amended, upon third reading.

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The Senate Committee Substitute bill, as amended, passes its third reading, by roll-call vote, ayes 47, noes 2, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Wade, Wells and Woodard---47.

Voting in the negative: Senators Ford and Waddell---2.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

S.B. 554 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION TO ENTER INTO LEASES FOR SCHOOL BUILDINGS AND SCHOOL FACILITIES AND TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE FAST-TRACK CHARTER SCHOOL REPLICATION DECISIONS WITHIN ONE HUNDRED TWENTY DAYS, upon second reading.

The Committee Substitute bill No. 2 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.

S.B. 886 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE PENSION AND RETIREMENT AMENDMENTS, upon second reading.

Senator Wells offers Amendment No. 1, which is adopted (49-0) and changes the title to read **S.B. 886** (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO HONOR CAPTAIN BRADLEY LONG AND ALL FUTURE FIREFIGHTERS AND RESCUE SQUAD WORKERS KILLED IN THE LINE OF DUTY BY AMENDING THE NC FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND TO PROVIDE A SURVIVORSHIP BENEFIT FOR MEMBERS KILLED IN THE LINE OF DUTY; TO CONSOLIDATE PUBLIC RECORDS LAWS RELATING TO RETIREMENT; AND TO MAKE OTHER ADMINISTRATIVE CHANGES.

The Committee Substitute bill, as amended, passes its second reading (49-0) 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. 3 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE; TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES; TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS

June 27, 2016

RESERVE FUND; TO REDUCE THE MAXIMUM INCOME TAX RATE TO FIVE AND ONE-HALF PERCENT FROM TEN PERCENT; AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, upon second reading.

Senator J. Jackson offers Amendment No. 1.

Senator Apodaca moves that Amendment No. 1 do lie upon the table, seconded by Senator Tucker, which motion prevails (33-15).

The Senate Committee Substitute bill passes its second reading, by a three-fifths majority vote, ayes 32, noes 17, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Wells---32.

Voting in the negative: Senators Blue, Bryant, Chaudhuri, Clark, D. Davis, Ford, Foushee, Hartsell, J. Jackson, Lowe, McKissick, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---17.

Senator Clark objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Tuesday, June 28, upon third reading.

H.B. 100 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS; TO RECODIFY THE STATUTE THAT PROHIBITS THE USE OF CERTAIN FORMS OF IDENTIFICATION BY STATE AND LOCAL OFFICIALS; TO REPEAL A STATUTORY EXCEPTION TO THAT STATUTE; AND TO CREATE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO COMPLY WITH STATE LAWS RELATED TO IMMIGRATION, upon second reading.

Senator Bryant offers Amendment No. 1, which fails (17-32).

The Senate Committee Substitute bill No. 2 passes its second reading (32-17).

Senator Woodard objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill No. 2 placed on the calendar of Tuesday, June 28, upon third reading.

H.B. 523 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO USE A CERTAIN DESIGNATION ON DRIVERS LICENSES WHEN LISTING THE RACE OF AN APPLICANT WHO IS AMERICAN INDIAN, upon second reading.

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, by special message, for concurrence in the Senate Committee Substitute bill.

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H.B. 533 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY WHEN THE LIEN FOR DEFERRED TAXES ON LAND ELIGIBLE FOR PRESENT-USE VALUE CLASSIFICATION IS EXTINGUISHED IN ORDER TO PROMOTE SALES FOR LAND CONSERVATION USES AND TO ALLOW A TAXPAYER TO CONTEST A DENIAL OF A CLAIM FOR REFUND WHICH THE DEPARTMENT OF REVENUE DETERMINES TO BE OUTSIDE THE STATUTE OF LIMITATIONS, upon second reading.

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, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 594 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR VEHICLES, AND FORMAT, upon second reading.

Senator Alexander is excused from voting on the bill due to a conflict of interest.

Senator Bingham is excused from voting on the bill due to a possible conflict.

Senator Brown is excused from voting on the bill due to a business conflict.

Senator McInnis is excused from voting on the bill due to a possible conflict of interest.

The Senate 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 sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 842 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES, upon second reading.

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, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 1033 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE FEE FOR A SPECIAL IDENTIFICATION CARD ISSUED TO A PERSON WITH A DEVELOPMENTAL DISABILITY, upon second reading.

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 enrolled and sent to the Governor by special message.

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FLOOR PRIVILEGES

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow staff to join Senator Barefoot on the Senate chamber floor while **H.B. 1080** is being considered.

CALENDAR *(continued)*

H.B. 1080 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, upon second reading.

Senator Robinson offers Amendment No. 1, which fails (15-33).

Senator Chaudhuri offers Amendment No. 2, which fails (16-33).

Senator Waddell offers Amendment No. 3.

Senator Apodaca moves that Amendment No. 3 do lie upon the table, seconded by Senator Brock, which motion prevails (33-16).

Senator Bryant offers Amendment No. 4.

Senator Apodaca moves that Amendment No. 4 do lie upon the table, seconded by Senator Tucker, which motion prevails (33-16).

Senator Bryant offers Amendment No. 5.

Senator Barefoot offers Amendment No. 6 as a Substitute Amendment, which is adopted (34-15), and Amendment No. 5 subsequently fails.

Upon motion of Senator Apodaca, without objection, the Senate Committee Substitute bill, as amended, is temporarily displaced and the Senate stands in recess.

The Senate recesses at 6:41 p.m. to reconvene at 9:30 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

The Chair grants leaves of absence for the remainder of tonight's session to Senator B. Jackson and Senator Meredith.

CONFERENCE REPORT

Senator Brown, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1030** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, submits a Conference Report for adoption.

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The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H1030-PCCS40686-LUxfr-3.

The Conference Report is placed on the calendar of Tuesday, June 28, upon second reading.

CALENDAR *(continued)*

H.B. 1080 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, as amended, displaced earlier upon second reading.

The Senate Committee Substitute bill, as amended, passes its second reading (31-15).

Senator Apodaca objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill, as amended, placed on the calendar of Tuesday, June 28, upon third reading.

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, upon second reading.

The Senate Committee Substitute bill fails its second reading (21-25).

MOTION TO RECONSIDER

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, having failed second reading earlier tonight.

Having voted with the majority, Senator Apodaca offers a motion that the vote by which the Senate Committee Substitute bill failed its second reading be reconsidered, which motion prevails without objection.

CALENDAR *(continued)*

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, upon second reading.

Upon motion of Senator Apodaca, without objection, the Senate Committee Substitute bill is withdrawn from tonight's calendar and re-referred to the **Rules and Operations of the Senate Committee**.

REFERRAL OF RESOLUTIONS

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.R. 899**, **S.R. 900**, and **S.R. 901**, which were filed today, to be introduced tonight and referred to the **Select Committee on Nominations**.

June 27, 2016

WITHDRAWAL FROM COMMITTEE

H.B. 136, A BILL TO BE ENTITLED AN ACT TO STUDY PENALTIES IMPOSED FOR SPEEDING IN A HIGHWAY WORK ZONE, referred to the **Rules and Operations of the Senate Committee** on May 13, 2015.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the bill be withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Judiciary I Committee**, which motion prevails with unanimous consent, and the Chair so orders.

Upon motion of Senator Berger, seconded by Senator Waddell, the Senate adjourns at 9:44 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Tuesday, June 28, at 9:30 a.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 27, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 984 Senate Committee Substitute (2nd Edition)**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, and requests conferees. Speaker Moore has appointed:

Representative Howard, Chair and
Representative Setzer

on the part of the House of Representatives 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 27, 2016

June 27, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 371 House Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINE THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES, and requests conferees, Speaker Moore has appointed:

Representative Dollar, Chair
Representative Lambeth
Representative Dobson and
Representative Insko

on the part of the House of Representatives 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 A CONFERENCE COMMITTEE

H.B. 984 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

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. 984 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Brock, Chair; and Senator Apodaca as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

June 27, 2016

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 28.

S.B. 852 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 28.

H.B. 1128 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS.

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

H.B. 972 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, AND TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY.

Referred to the **Judiciary I Committee**.

S.B. 481 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT, TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, AND TO PROHIBIT CITIES FROM CHARGING FEES FOR UTILITY USE OF RIGHT-OF-WAY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Tuesday, June 28.

June 27, 2016

INTRODUCTION OF RESOLUTIONS

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

By Senator Apodaca:

S.R. 899, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY GRANTHAM TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Referred to the **Select Committee on Nominations**.

By Senator Apodaca:

S.R. 900, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF VERONICA WRIGHT TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Referred to the **Select Committee on Nominations**.

By Senator Apodaca:

S.R. 901, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF TERRY MCCANN TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Referred to the **Select Committee on Nominations**.

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. 160, AN ACT ADOPTING THE VETERANS DAY PARADE HELD IN THE TOWN OF WARSAW AS THE OFFICIAL STATE VETERANS DAY PARADE. (Became law upon approval of the Governor, June 24, 2016 - S.L. 2016-33)

H.B. 958, AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES. (Became law upon approval of the Governor, June 27, 2016 - S.L. 2016-34)

S.B. 787, AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY

June 27, 2016

OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY. (Became law upon ratification, June 27, 2016 - S.L. 2016-35)

S.B. 795, AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING. (Became law upon ratification, June 27, 2016 - S.L. 2016-36)

S.B. 831, AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT. (Became law upon ratification, June 27, 2016 - S.L. 2016-37)

S.B. 849, AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL. (Became law upon ratification, June 27, 2016 - S.L. 2016-38)

S.B. 880, AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY. (Became law upon ratification, June 27, 2016 - S.L. 2016-39)

S.B. 883, AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY. (Became law upon ratification, June 27, 2016 - S.L. 2016-40)

H.B. 1045, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN. (Became law upon ratification, June 27, 2016 - S.L. 2016-41)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 27, 2016

ONE HUNDRED SEVENTY-EIGHTH DAY

Senate Chamber
Tuesday, June 28, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

The Senate recesses at 9:30 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 4:30 p.m.

RECESS**MESSAGE FROM THE GOVERNOR**

The following message is received from the Governor:

**STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR**

PAT McCrORY
GOVERNOR

June 27, 2016

The Honorable Philip E. Berger
Senate President Pro Tempore
Legislative Building, Room 2008
Raleigh, North Carolina 27601-2008

Dear Senator Berger:

Regretfully, Ms. Patti Head has withdrawn her name for consideration to the North Carolina State Board of Education. In her place and pursuant to North Carolina General Statute §115C-10, I am pleased to nominate Ms. Amy Bannister White to serve on the State Board of Education representing the 3rd Educational District for a term ending March 31, 2023.

Included you will find biographical information for Ms. White. Please feel free to contact my staff for any additional information.

Sincerely,
S/ Pat McCrory
Governor

cc: Ms. Sarah Lang

The message is referred to the **Select Committee on Nominations**.

June 28, 2016

REPORTS OF COMMITTEES

Standing committee reports are submitted as follows:

By Senator Apodaca for the **Select Committee on Nominations**:

S.J.R. 387, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report.

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

S.B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MARIETTA TO HOLD MUNICIPAL ELECTIONS EVERY FOUR YEARS, with a favorable report.

H.B. 804 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WARRANTLESS ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10570, which changes the title to read **H.B. 804** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES, is adopted and engrossed.

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

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE, with a favorable report.

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

H.B. 1044 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT

June 28, 2016

AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; TO PROVIDE AN EXEMPTION TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE BUREAU OF INVESTIGATION; TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES; AND TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY MAY BE CONVENED, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 10572, which changes the title to read **H.B. 1044** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES, is adopted and engrossed.

By Senator Newton for the **Judiciary I Committee**:

H.B. 136, A BILL TO BE ENTITLED AN ACT TO STUDY PENALTIES IMPOSED FOR SPEEDING IN A HIGHWAY WORK ZONE, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40688, which changes the title to read **H.B. 136** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES TO AUTHORIZE A RETIRED BUSINESS COURT JUDGE TO BE RECALLED TO SERVE AS A SENIOR BUSINESS COURT JUDGE, is adopted and engrossed.

June 28, 2016

H.B. 972 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, AND TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, with an unfavorable report as to the Committee Substitute bill No. 2, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40689, which changes the title to read **H.B. 972** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, is adopted and engrossed.

H.B. 424 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40690, is adopted and engrossed.

CONFERENCE REPORT

Senator Brock, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 984** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, submits a Conference Report for adoption.

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The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H984-PCCS40685-MD-1.

The Conference Report is placed on the calendar of Wednesday, June 29, for adoption.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 630, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO EXPLORE ALTERNATIVE MEASURES FOR PROTECTING THE WATER QUALITY OF FALLS LAKE, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 10571, which changes the title to read **H.B. 630** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION, is adopted and engrossed.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 28, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees have been dismissed for **H.B. 817 Senate Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

June 28, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 28, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1039 Senate Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

ENROLLED BILLS

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

H.B. 242, AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS.

H.B. 289, AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS.

H.B. 1033, AN ACT TO WAIVE THE FEE FOR A SPECIAL IDENTIFICATION CARD ISSUED TO A PERSON WITH A DEVELOPMENTAL DISABILITY.

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

H.B. 1017, AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD.

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H.B. 1058, AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE.

H.B. 1133, AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.

H.B. 1143, AN ACT TO TEMPORARILY SUSPEND THE CHARTER OF THE TOWN OF SPENCER MOUNTAIN.

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

Prayer is offered by The Reverend Peter Milner, Senate Chaplain, as follows:

“Lord, thank you so much for all you do for us—more than we ask or imagine or dream of. We thank you that you are merciful and that you are full of compassion, not just now but from generation to generation. Guide us, Lord, today. Give us confidence as a team. Help us to finish now. May the details all come together for the sake of those that we serve. We pray for everyone here, that you would just be with them and remind them that you will not forsake them or leave them. It’s in your name we pray, Jesus. Amen.”

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Monday, June 27, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Berger and Senator Newton.

The Chair extends privileges of the floor to Jennifer Lamm from Rocky Mount, North Carolina, who is serving the Senate as Nurse of the Day.

SENATE PAGES

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

Kayla Alston, Reidsville; Camryn Anderson, Charlotte; Jacob Anspach, Efland; John Bennett, Wilmington; Hunter Best, Wendell; Simon Cawley, Mount Airy; Ron Davis II, Norlina; Else Dietrich, Rockingham; Emily Ficker, Raleigh; Cameron Ford, Cary; Lauren Grayson, Charlotte; Matthew Krawiec, Hickory; Cara Kuuskvere, Charlotte; Matthew Langston, Wilson; Riley McNulty, Huntersville; Thomas Moore III, Rocky Mount; William Pittman, Conover; Boyce Purdie, Clinton; Sarah Replogle, Raleigh; Mason Stewardson, Wilmington; Ally Turnage, Snow Hill; Andrew Weatherman, Charlotte; and Jake Weist, Archdale.

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CALENDAR

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

H.B. 1022 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY, 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 Alexander, Apodaca, Ballard, Barefoot, Barringer, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---47.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 1132 (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE, upon third reading.

The Committee Substitute bill No. 2 passes its third reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---47.

Voting in the negative: None.

The Committee Substitute bill No. 2 is ordered enrolled.

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, upon second reading.

The House Committee Substitute bill passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---47.

Voting in the negative: None.

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The House Committee Substitute bill remains on the calendar for Wednesday, June 29, for concurrence upon third reading.

S.B. 852 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, upon second reading.

The House Committee Substitute bill passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---47.

Voting in the negative: None.

The House Committee Substitute bill remains on the calendar for Wednesday, June 29, for concurrence upon third reading.

H.B. 805 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS, upon second reading.

Upon motion of Senator Apodaca, the Senate Committee Substitute bill is withdrawn from today's calendar and re-referred to the **Appropriations/Base Budget Committee**.

H.B. 3 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE; TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES; TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND; TO REDUCE THE MAXIMUM INCOME TAX RATE TO FIVE AND ONE-HALF PERCENT FROM TEN PERCENT; AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, upon third reading.

Senator Clark offers Amendment No. 2.

Upon motion of Senator Apodaca, the words spoken by Senator Rucho on Amendment No. 2 are spread upon the journal as follows:

SENATOR RUCHO: "Senator Clark, thank you very much for recognizing the fact that all of our good tax cuts go to lowering the rate and that setting up the standard deduction, or what we like to refer to as the zero bracket, has been very beneficial to the people of this state, especially in lieu of the fact that we've

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seen some great results on job creation, on income improvement, on the decline in poverty, and on GDP growth. So in essence, I am very comfortable with the direction we're presently going. At some point, hopefully, this General Assembly, with its wisdom, can look at zero bracket and maybe something in the vicinity of a \$20,000 married filing jointly, which would be probably a good thing to do. But, it's unfortunate because Senator Clark alluded to the fact, inaccurately, that all of this moving away from an income tax to a consumption based tax on a broadened sales tax base—Senator Clark and members of the Senate—you'll notice anytime we do broadening of the sales tax base, we actually either lower the rate and/or increase the zero bracket. Just as a matter of fact, let me give you some information so you'll be enlightened. Since 2013, House Bill 998, which is our tax bill, we actually reduced the personal income tax by \$1.123 billion. Also the fact that the sales taxes were broadened—we actually increased the revenue about \$517.8 million, which is a net change of a tax cut in the personal income tax area of about \$605 million, Senator Clark. So your analogy of saying that as we broadened the base people are paying more taxes is in error. Now, what does that really mean? If you look at an example of someone earning \$43,916, which is the median household income in 2014, because of what we did in 2013 and because of increasing the standard deduction up to \$16,500 and then \$17,500, the taxpayers in that area—\$43,916—will actually have received a \$215 tax cut. Now, if you add in the \$49 that would have been, due to the fact that we broadened the sales tax base, it is a \$166 tax savings. In 2017, same analogy, \$43,916 federal AGI would be median household income. Because of the additional changes that we would have, including a reduction to 5.499, those same taxpayers would enjoy a \$339 tax cut in addition to the fact that if you add in the \$62 that would have come from the sales tax broadening, those taxpayers would have a \$290 savings—net savings, Senator Clark. So, in reality, for you to come out and make a statement as rash as that, the facts don't speak for it. Ladies and gentlemen, all I'll say to you—the direction we've been moving shows the fact that getting away from an income tax, which is damaging to savings to investment to entrepreneurship, everything we know is necessary to have a growing economy—the results speak for themselves. When the Democrats controlled this General Assembly, they had the highest taxes in the southeast, and, very simply, that is not the truth today. Actually, we are ranked some of the best and are seeing the results of it. This does not even include the billion-plus dollars when we got rid of your temporary sales tax, Senator Clark, which added another billion dollars in the pockets of the working families and small businesses. So, in conclusion, there has been a significant reduction in the amount of personal income tax. That meant it put money back in the peoples' pockets. I would ask that you reject this amendment, and let's get on to the bill at hand so that we can go ahead and be sure that everybody is able to know what that tax rate will be. It's clearly stated at a 5.5% cap, which is the right thing to do, which will actually inform people and keep them enlightened. What it will do is prevent the Democrats from increasing personal income tax again. That is a noble goal and can be achieved. Thank you.”

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Amendment No. 2 fails (15-33).

Senator Blue offers Amendment No. 3.

Upon the appearance of Senator Berger in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

Senator Apodaca moves that Amendment No. 3 do lie upon the table, seconded by Senator B. Jackson, which motion prevails (33-16).

The Senate Committee Substitute bill passes its third reading, by a three-fifths majority vote, ayes 31, noes 18, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Berger, Bingham, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Wells---31.

Voting in the negative: Senators Barringer, Blue, Bryant, Chaudhuri, Clark, D. Davis, Ford, Foushee, Hartsell, J. Jackson, Lowe, McKissick, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---18.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 548 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ZONING MODERNIZATION LEGISLATIVE TASK FORCE, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40691, which changes the title to read **H.B. 548** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFORMING CHANGES UPON THE VOTERS' APPROVAL OF AMENDMENTS TO THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, is adopted and engrossed.

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RE-REFERRAL OF BILLS

H.B. 630 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION, reported out of the **Rules and Operations of the Senate Committee** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill is placed on today's calendar.

S.J.R. 387, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, reported out of the **Select Committee on Nominations** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the Joint Resolution is placed on today's calendar for immediate consideration.

CALENDAR *(continued)*

S.J.R. 387, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, upon second reading.

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.

H.B. 100 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS; TO RECODIFY THE STATUTE THAT PROHIBITS THE USE OF CERTAIN FORMS OF IDENTIFICATION BY STATE AND LOCAL OFFICIALS; TO REPEAL A STATUTORY EXCEPTION TO THAT STATUTE; AND TO CREATE ADDITIONAL INCENTIVES FOR LOCAL GOVERNMENTS TO COMPLY WITH STATE LAWS RELATED TO IMMIGRATION, upon third reading.

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The Senate Committee Substitute bill No. 2 passes its third reading (31-18) and is ordered sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 1080 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, as amended, upon third reading.

Senator Barefoot offers Amendment No. 7, which is adopted (43-6).

Senator Tillman offers Amendment No. 8, which is adopted (49-0).

Senator Tillman offers Amendment No. 9, which is adopted (49-0).

The Senate Committee Substitute bill, as amended, passes its third reading (35-14) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

S.B. 481 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT, TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, AND TO PROHIBIT CITIES FROM CHARGING FEES FOR UTILITY USE OF RIGHT-OF-WAY, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Barringer, the Senate concurs in the House Committee Substitute bill (49-0) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 482 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Barringer, the Senate fails to concur in the House Committee Substitute bill (1-48) and the House of Representatives is notified by special message.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 482, Senator Louis Pate, Deputy President *Pro Tempore*, announces the President *Pro Tempore's* appointment of Senator Barringer, Chair; Senator Lee, and Senator Blue as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

H.B. 1030 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, upon second reading.

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Pursuant to Senate Rule 29(f), Senator Barringer withdraws her excuse from voting, submitting the following explanation: "The Conference Report for H.B. 1030 amends Section 14.13(c), resolving the earlier conflict of interest."

Upon motion of Senator Brown, the Conference Report passes its second reading, by roll-call vote, ayes 33, noes 16, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Tarte, Tillman, Tucker, Wade and Wells---33.

Voting in the negative: Senators Blue, Bryant, Chaudhuri, Clark, D. Davis, Ford, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Smith-Ingram, Van Duyn, Waddell and Woodard---16.

The Conference Report remains on the calendar for Wednesday, June 29, for adoption upon third reading.

MOTION TO RECONSIDER

H.B. 1080 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, as amended, having passed third reading earlier today.

Having voted with the majority, Senator Tillman offers a motion that the vote by which the Senate Committee Substitute bill, as amended, passed its third reading be reconsidered, which motion prevails without objection.

CALENDAR *(continued)*

H.B. 1080 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT, as amended, upon third reading.

Having voted with the majority, Senator Apodaca offers a motion that the vote by which Amendment No. 8 was adopted be reconsidered, which motion prevails without objection.

Senator Tillman withdraws Amendment No. 8.

The Senate Committee Substitute bill, as amended, passes its third reading (35-14) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 630 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION, upon second reading.

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Senator J. Jackson is excused from voting on the bill due to a possible conflict of interest.

Senator Apodaca offers Amendment No. 1, which is adopted (48-0).

The Senate Committee Substitute bill, as amended, passes its second reading (44-4) 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, for concurrence in the Senate Committee Substitute bill.

WITHDRAWAL FROM COMMITTEE

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, referred to the **Rules and Operations of the Senate Committee** on June 27.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Senate Committee Substitute bill 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, and the Chair so orders.

CALENDAR *(continued)*

H.B. 884 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ABC ELECTIONS IN CERTAIN TOWNSHIPS, upon second reading.

The Senate Committee Substitute bill passes its second reading (36-6) 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, for concurrence in the Senate Committee Substitute bill.

REFERRAL OF A JOINT RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.J.R. 902**, which was filed today, to be introduced today and referred to the **Select Committee on Nominations**.

WITHDRAWAL FROM COMMITTEE

S.B. 821 (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 ADDITIONAL TECHNICAL AND OTHER AMENDMENTS TO THE GENERAL STATUTES, referred to the **Finance Committee** on June 21.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Finance Committee** and re-referred to the **Rules and Operations of the Senate Committee**, which motion prevails with unanimous consent, and the Chair so orders.

June 28, 2016

Upon motion of Senator Berger, seconded by Senator Hartsell, the Senate adjourns at 7:14 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Wednesday, June 29, at 9:30 a.m.

INTRODUCTION OF A RESOLUTION

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

By Senators Barefoot and Ballard (Primary Sponsors):

S.J.R. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION.

Referred to the **Select Committee on Nominations**.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 28, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 151 Senate Committee Substitute No. 2 (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

June 28, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 28, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 593 Senate Committee Substitute No. 2 (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS.

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 28, 2016

Mr. President:

Pursuant to the message from the House of Representatives today, that the House failed to concur in **H.B. 151 Senate Committee Substitute No. 2 (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION. Speaker Moore has appointed:

Representative Tine, Chair
Representative Jeter and
Representative Floyd

June 28, 2016

on the part of the House of Representatives 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 28, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 169 Senate Committee Substitute No. 3 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

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. 1017, AN ACT TO ADD AND REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF NORWOOD. (Became law upon ratification, June 28, 2016 - S.L. 2016-42)

H.B. 1058, AN ACT TO ALLOW THE RECALL OF OFFICERS OF THE VILLAGE OF TOBACCOVILLE. (Became law upon ratification, June 28, 2016 - S.L. 2016-43)

H.B. 1133, AN ACT TO CHANGE THE ELECTION METHOD OF THE TRANSYLVANIA COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN. (Became law upon ratification, June 28, 2016 - S.L. 2016-44)

June 28, 2016

H.B. 1143, AN ACT TO TEMPORARILY SUSPEND THE CHARTER OF THE TOWN OF SPENCER MOUNTAIN. (Became law upon ratification, June 28, 2016 - S.L. 2016-45)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

ONE HUNDRED SEVENTY-NINTH DAY

Senate Chamber
Wednesday, June 29, 2016

The Senate meets pursuant to adjournment and is called to order by The Honorable Harry Brown, Senator from Onslow County.

The Senate recesses at 9:30 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 2:30 p.m.

RECESS

ENROLLED BILLS

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

S.B. 481, AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT, TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, AND TO PROHIBIT CITIES FROM CHARGING FEES FOR UTILITY USE OF RIGHT-OF-WAY.

H.B. 253, AN ACT TO AMEND PROVISIONS OF THE JUSTICE REINVESTMENT ACT.

H.B. 287, AN ACT TO ENHANCE AND IMPROVE CONSUMER PROTECTIONS AND TRANSPARENCY RELATED TO MOTOR VEHICLE MAINTENANCE AND REPAIRS, LONG-TERM CARE INSURANCE, AND CONSENT TO RATE; TO STUDY VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION EFFORTS; TO INCREASE THE CRIMINAL PENALTY FOR LARGE-SCALE FRAUD COMMITTED BY AN INSURANCE FIDUCIARY AND STRENGTHEN COMMERCIAL AUTO

June 29, 2016

RATE EVASION REFORM; TO MAKE VARIOUS TECHNICAL AND POLICY CHANGES TO NORTH CAROLINA'S CAPTIVE INSURANCE LAW PROVISIONS; TO ENABLE THE ESTABLISHMENT OF A STATE-BASED PRIVATE FLOOD INSURANCE MARKET; TO ENABLE INSURERS TO RECEIVE RESTITUTION FROM CONVICTED DEFENDANTS; TO EXEMPT CERTAIN ACCOUNTABLE CARE ORGANIZATIONS FROM DEPARTMENT REGULATION; AND TO MAKE OTHER AMENDMENTS TO INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT.

H.B. 523, AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO USE A CERTAIN DESIGNATION ON DRIVERS LICENSES WHEN LISTING THE RACE OF AN APPLICANT WHO IS AMERICAN INDIAN.

H.B. 533, AN ACT TO MODIFY WHEN THE LIEN FOR DEFERRED TAXES ON LAND ELIGIBLE FOR PRESENT-USE VALUE CLASSIFICATION IS EXTINGUISHED IN ORDER TO PROMOTE SALES FOR LAND CONSERVATION USES AND TO ALLOW A TAXPAYER TO CONTEST A DENIAL OF A CLAIM FOR REFUND WHICH THE DEPARTMENT OF REVENUE DETERMINES TO BE OUTSIDE THE STATUTE OF LIMITATIONS.

H.B. 594, AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR VEHICLES, AND FORMAT.

H.B. 678, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE COMMISSION.

H.B. 817, AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016.

H.B. 842, AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

H.B. 1021, AN ACT TO AMEND THE LAW REGARDING SEX OFFENDERS ON CERTAIN PREMISES TO ADDRESS THE RULING IN DOE V. COOPER.

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

S.B. 215, AN ACT TO ABOLISH THE OFFICE OF CORONER IN BRUNSWICK COUNTY.

June 29, 2016

H.B. 392, AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO MAKE CHANGES RELATED TO THE MEMBERSHIP AND OPERATION OF THE PUBLIC WORKS COMMISSION.

H.B. 1022, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY.

H.B. 1132, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE.

CONFERENCE REPORT

Senator Tucker, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 561** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS, as amended by the Senate, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H561-PCCS30532-RQ-6, which, upon adoption, will change the title to read **H.B. 561** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS.

The Conference Report is placed on the calendar of Thursday, June 30, for adoption.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

H.B. 948 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY CERTAIN ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, AND TO ALLOW THE BOARD OF PHARMACY TO OBTAIN CRIMINAL RECORD REPORTS FROM APPROVED REPORTING SERVICES.

Referred to the **Health Care Committee**.

June 29, 2016

H.B. 986 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR THE ZETA PHI BETA SORORITY AND TO AUTHORIZE A FULL COLOR BACKGROUND FOR THE ORDER OF THE LONG LEAF PINE SPECIAL REGISTRATION PLATE.

Referred to the **Finance Committee**.

S.B. 105 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, June 30.

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 151 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION.

Pursuant to the message from the House of Representatives received June 28, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 151 and requests conferees, Senator Phil Berger, President *Pro Tempore* appoints Senator Krawiec, Chair; Senator Gunn, Senator Sanderson, and Senator Foushee as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

CONFERENCE REPORT

Senator Rabon, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 959** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H959-PCCS40692-RW-3.

The Conference Report is placed on the calendar of Thursday, June 30, for adoption.

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SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 29, 2016

Mr. President:

Pursuant to the message from the House of Representatives on June 28, 2016, that the House failed to concur in **H.B. 169 Senate Committee Substitute No. 3 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA. Speaker Moore has appointed:

Representative Lambeth, Chair
Representative Steinburg
Representative Szoka
Representative Riddell
Representative Ross
Representative Horn
Representative Fraley
Representative Jeter
Representative Millis
Representative J. Bell
Representative McGrady
Representative Stam
Representative Hager
Representative McElraft
Representative Dixon and
Representative Arp

on the part of the House of Representatives 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 29, 2016

June 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 984** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

When the appropriate action has been taken by both chambers, the bill will be ordered 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
June 29, 2016

Mr. President:

Pursuant to the message from the House of Representatives on June 28, 2016, that the House failed to concur in **H.B. 593 Senate Committee Substitute No. 2 (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS. Speaker Moore has appointed:

Representative Lambeth, Chair
Representative Steinburg
Representative Szoka
Representative Riddell
Representative Ross
Representative Horn
Representative Fraley
Representative Jeter
Representative Millis
Representative J. Bell
Representative McGrady
Representative Stam
Representative Hager
Representative McElraft
Representative Dixon and
Representative Arp

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on the part of the House of Representatives 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

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Apodaca for the **Select Committee on Nominations**:

S.R. 899, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY GRANTHAM TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

S.R. 900, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF VERONICA WRIGHT TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

S.R. 901, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF TERRY MCCANN TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

S.J.R. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION, with a favorable report.

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

Prayer is offered by The Honorable Deanna Ballard, Senator from Watauga County, as follows:

“Lord, I love it when you asked Ezekiel, ‘Can these bones live,’ and Ezekiel responds with, ‘O Lord God, only you know.’* It’s no surprise you always seem to be leaning into our lives asking us questions you already know the answer to, questions meant to give us pause and to gauge our understanding of just who you really are. Lord, you are good; you are unfailing in your love. You are perfect in peace. You are mighty, you are sovereign, you are generous, you are forgiving, and you are incredibly gracious. You are the God of immeasurably more. You are the one who shuts the mouths of lions. You are the same God that

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says ‘come and I will give you rest’ and also says ‘go, there is work to do’. I stand here in this chamber today, with this new family, as we work, as we till the soil, knowing that what is planted in the ground is what is produced. I pray you plant with fierce love, joy, peace, patience, kindness, goodness, gentleness, faithfulness, long-suffering, and self-control. We ask for wisdom, not a human wisdom, not knowledge, but godly wisdom that gives health to our flesh and strength to our bones. Thank you for saving me through the blood of Jesus Christ and the power of the resurrection and the gift of the Holy Spirit. And thank you for the sure foundation of your word. May we not discount it, dismiss it, but embrace it fully. Give us capacity, courage, and boldness in all things. I love you with everything I’ve got. And as we stand here side by side, may we remain rooted and grounded in your love and speak truth always. Please encourage our hearts today. It is the power of your great name that we surrender ourselves to you. Amen.”

*Ezekiel 37: 3, NIV

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Tuesday, June 28, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair extends privileges of the floor to Laura Carmon from Winterville, North Carolina, who is serving the Senate as Nurse of the Day.

ENROLLED RESOLUTION

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. 387, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION. (Res. 2016-21)

CONFERENCE REPORT

Senator Krawiec, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 151** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDDING AND COLLECTING CERTAIN COURT FEES IN EVICTION

June 29, 2016

PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H151-PCCS10573-SU-1.

The Conference Report is placed on the calendar of Thursday, June 30, for adoption.

WITHDRAWAL FROM COMMITTEE

H.B. 742, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER, referred to the **Rules and Operations of the Senate Committee** on April 28, 2015.

Pursuant to Rule 47(a), Senator Apodaca 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, and the Chair so orders.

CALENDAR

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

S.B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MARIETTA TO HOLD MUNICIPAL ELECTIONS EVERY FOUR YEARS, upon second reading.

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 by special message.

RE-REFERRAL OF BILLS

S.R. 899, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY GRANTHAM TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, reported out of the **Select Committee on Nominations** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the resolution is placed on today's calendar.

S.R. 900, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF VERONICA WRIGHT TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, reported out of the **Select Committee on Nominations** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the resolution is placed on today's calendar.

June 29, 2016

S.R. 901, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF TERRY MCCANN TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, reported out of the **Select Committee on Nominations** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the resolution is placed on today's calendar.

CALENDAR (*continued*)

H.B. 1126 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE, upon second reading.

The Committee Substitute bill passes its second reading (31-19) and, without objection, is read a third time and passes its third reading (31-19) and is ordered enrolled.

S.B. 774 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO, for concurrence upon third reading.

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 Alexander, Apodaca, Ballard, Barefoot, Barringer, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---48.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

S.B. 852 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE, for concurrence upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Clark, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tarte, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---50.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

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H.B. 136 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES TO AUTHORIZE A RETIRED BUSINESS COURT JUDGE TO BE RECALLED TO SERVE AS A SENIOR BUSINESS COURT JUDGE, upon second reading.

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, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 424 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES, upon second reading.

The Senate Committee Substitute bill No. 2 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, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 548 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFORMING CHANGES UPON THE VOTERS' APPROVAL OF AMENDMENTS TO THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, upon second reading.

The Senate Committee Substitute bill passes its second reading (34-16).

Senator B. Jackson objects to third reading of the measure. Pursuant to Rule 50, the Chair orders the Senate Committee Substitute bill placed on the calendar of Thursday, June 30, upon third reading.

H.B. 804 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES, upon second reading.

The Senate Committee Substitute bill No. 2 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, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 972 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO

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ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, upon second reading.

Senator McKissick offers Amendment No. 1, which is adopted (50-0).

The Senate Committee Substitute bill, as amended, passes its second reading (48-2) 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, for concurrence in the Senate Committee Substitute bill.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

H.B. 1030 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, for adoption upon third reading.

Upon motion of Senator Apodaca, the Conference Report is withdrawn from the regular order of business and placed before the Senate for immediate consideration.

CALENDAR *(continued)*

H.B. 1030 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE, for adoption upon third reading.

The Senate adopts the Conference Report on its third reading, by roll-call vote, ayes 36, noes 14, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Brock, Brown, Clark, Cook, Curtis, Daniel, J. Davis, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Tarte, Tillman, Tucker, Wade and Wells---36.

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Voting in the negative: Senators Blue, Bryant, Chaudhuri, D. Davis, Ford, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith-Ingram, Van Duyn, Waddell and Woodard---14.

The Chair orders a special 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 Apodaca.

H.B. 1044 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES, upon second reading.

The Senate Committee Substitute bill No. 2 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, for concurrence in the Senate Committee Substitute bill No. 2.

H.B. 984 (Conference Report), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS, for adoption.

Upon motion of Senator Brock, the Senate adopts the Conference Report (49-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

S.R. 899, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY GRANTHAM TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, for adoption.

The Senate Resolution is adopted (49-0).

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S.R. 900, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF VERONICA WRIGHT TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, for adoption.

The Senate Resolution is adopted (49-0).

S.R. 901, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF TERRY MCCANN TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, for adoption.

The Senate Resolution is adopted (49-0).

Upon motion of Senator Berger, seconded by Senator Alexander, the Senate adjourns at 3:37 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Thursday, June 30, at 9:45 a.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 53 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO APPROVE CERTAIN QUALIFYING ALTERNATIVE LATERAL ENTRY TEACHER EDUCATION PREPARATION PROGRAMS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, June 30.

S.B. 124 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, June 30.

S.B. 739 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Thursday, June 30.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.B. 821 (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 ADDITIONAL TECHNICAL AND OTHER AMENDMENTS TO THE GENERAL STATUTES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Committee Substitute bill No. 2, 45554, is adopted and engrossed.

S.B. 898, 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, with an unfavorable report as to the bill, but favorable as to the Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Committee Substitute bill, 35382, which changes the title to read **S.B. 898** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE MAJORITY LEADER OF THE SENATE, is adopted and engrossed.

APPOINTMENT OF CONFERENCE COMMITTEES

S.B. 303 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

Pursuant to the Senate having failed to concur in the House Committee Substitute No. 2 for S.B. 303 on June 21, Senator Phil Berger, President *Pro Tempore*, appoints Senator Wade, Chair; Senator Barefoot, Senator Brock, Senator Gunn, Senator Wells, Senator Brown, Senator Lowe, Senator Sanderson, and Senator B. Jackson as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

June 29, 2016

H.B. 593 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS.

Pursuant to the message from the House of Representatives received earlier today, that the House fails to concur in the Senate Committee Substitute bill No. 2 for H.B. 593 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Wade, Chair; Senator Barefoot, Senator Brock, Senator Gunn, Senator Wells, Senator Brown, Senator Lowe, Senator Sanderson, and Senator B. Jackson as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

H.B. 169 (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

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. 169 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator Wade, Chair; Senator Barefoot, Senator Brock, Senator Gunn, Senator Wells, Senator Brown, Senator Lowe, Senator Sanderson, and Senator B. Jackson as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

S.B. 53 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO APPROVE CERTAIN QUALIFYING ALTERNATIVE LATERAL ENTRY TEACHER EDUCATION PREPARATION PROGRAMS, having been placed on the calendar of Thursday, June 30.

The House Committee Substitute bill is withdrawn from the calendar of Thursday, June 30, and re-referred to the **Rules and Operations of the Senate Committee**.

H.B. 728 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ENLARGING THE TIME FOR CERTIFICATION OF CHIROPRACTIC CLINICAL ASSISTANTS BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS; AND AUTHORIZING THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO IMPOSE FINES AS SANCTIONS AND TO INCREASE ANNUAL LICENSE RENEWAL FEES, referred to the **Rules and Operations of the Senate Committee** on April 30, 2015.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Finance Committee**.

June 29, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 29, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 482 House Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, and requests conferees, Speaker Moore has appointed:

Representative Bishop, Chair
Representative Szoka and
Representative Bryan

on the part of the House of Representatives 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 29, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 303 House Committee Substitute No. 2 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, and requests conferees, Speaker Moore has appointed:

Representative Lambeth, Chair
Representative Steinburg
Representative Szoka
Representative Riddell

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Representative Ross
Representative Horn
Representative Fraley
Representative Jeter
Representative Millis
Representative J. Bell
Representative McGrady
Representative Stam
Representative Hager
Representative McElraft
Representative Dixon and
Representative Arp

on the part of the House of Representatives 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

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. 215, AN ACT TO ABOLISH THE OFFICE OF CORONER IN BRUNSWICK COUNTY. (Became law upon ratification, June 29, 2016 - S.L. 2016-46)

H.B. 392, AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE TO MAKE CHANGES RELATED TO THE MEMBERSHIP AND OPERATION OF THE PUBLIC WORKS COMMISSION. (Became law upon ratification, June 29, 2016 - S.L. 2016-47)

H.B. 1022, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAXTON AND TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF SILER CITY. (Became law upon ratification, June 29, 2016 - S.L. 2016-48)

H.B. 1132, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF GLEN ALPINE. (Became law upon ratification, June 29, 2016 - S.L. 2016-49)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned.

June 29, 2016

ONE HUNDRED EIGHTIETH DAY

Senate Chamber
Thursday, June 30, 2016

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

Prayer is offered by The Honorable E.S. (Buck) Newton, Senator from Wilson County, as follows:

“Father, let the words of my mouth and the meditations of our hearts be pleasing in your sight, our strength, our rock and our redeemer. Lord, we thank you for this day. We thank you for this august body. We thank you for the opportunity that you have given each of us to lead. We ask you to be with us today as you have always been. Be with us today and give us wisdom, give us courage, give us strength – all the things that you feed us every single day. We ask for that again today. Help us to see your wisdom, and help us to see your will, not our will, your will. What is our role that you wish us to fulfill today? As it was said in Ephesians, ‘for we are God’s workmanship, created in Christ Jesus to do good works, which you Lord, God, prepared in advance for us to do.’* We ask these things in your Son’s name, his redeeming blood and we thank him for it. In Jesus Christ’s name, Amen.”

*Ephesians 2:10

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Wednesday, June 29, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Clark and Senator Tarte.

MESSAGE TO THE HOUSE OF REPRESENTATIVES

The President orders a message sent to the House of Representatives notifying that honorable body that, pursuant to **S.J.R. 387**, the Senate stands ready to repair to the Hall of the House of Representatives, there to sit in Joint Session to consider a Joint Resolution providing for confirmation of the appointments by the Governor of new members to the State Board of Education.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

June 30, 2016

House of Representatives
June 30, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that pursuant to **S.J.R. 387 (Resolution 2016-21)**, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE GENERAL ASSEMBLY TO ACT ON A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, the House stands ready to receive your Honorable Body in Joint Session.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Senator Berger offers a motion that, in accordance with S.J.R. 387, the Senate stand in recess to repair to the Hall of the House of Representatives, there to sit in Joint Session to consider a Joint Resolution providing for confirmation of the appointments by the Governor of new members to the State Board of Education. He further moves that upon the dissolution of the Joint Session, the Senate stand in recess, subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 2:30 p.m.

The President declares the Senate in recess at 9:59 a.m. The Senate, preceded by its officers, repairs to the Hall of the House of Representatives.

JOINT SESSION

With members of the House of Representatives standing, the Senate is received in the Hall of the House of Representatives.

Speaker Moore relinquishes the gavel to Lieutenant Governor Dan Forest, President of the Senate, who presides.

The President of the Senate calls the Joint Session of the General Assembly to order.

The roll of the House of Representatives is called electronically to determine a quorum, and the following members answer the call:

June 30, 2016

Speaker Moore; Representatives Adams, Adcock, Ager, Alexander, Arp, Avila, Baskerville, J. Bell, L. Bell, Bishop, Blust, Boles, Brawley, Brisson, Brockman, Brody, R. Brown, Bryan, Bumgardner, Burr, Carney, Catlin, Cleveland, Collins, Conrad, Cotham, Daughtry, Davis, Dixon, Dobson, Dollar, Earle, Elmore, Faircloth, Fisher, Floyd, Ford, Fraley, Gill, Goodman, C. Graham, G. Graham, Hager, D. Hall, K. Hall, L. Hall, Hamilton, Hanes, Hardister, Harrison, Hastings, Holley, Horn, Howard, Hunter, Hurley, Iler, Jackson, Jeter, L. Johnson, Jones, Jordan, Lambeth, Langdon, Lewis, Lucas, Luebke, Malone, G. Martin, S. Martin, McElraft, McGrady, McNeill, Meyer, Michaux, Millis, Murphy, Pierce, Pittman, Presnell, Queen, B. Richardson, W. Richardson, Riddell, Robinson, Ross, Saine, Salmon, Setzer, Sgro, Shepard, Speciale, Stam, Steinburg, Szoka, Tine, Torbett, B. Turner, R. Turner, Waddell, Warren, West, Whitmire, Wray, Yarborough, and Zachary---107.

The President of the Senate directs the Reading Clerk of the Senate to call the roll of the Senate to determine a quorum, and the following members answer the call:

Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells, Woodard---47.

The President declares a quorum of each body present and announces that the Joint Session shall proceed with the business for which it convened, the confirmation of the appointments by the Governor of new members to the State Board of Education as outlined in **S.J.R. 902**.

CALENDAR

The President directs the Reading Clerk of the Senate to read the resolution:

S.J.R. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION, upon second reading.

The Joint Resolution passes its second reading in the Senate by call of the roll (47-0) 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.

Lieutenant Governor Dan Forest relinquishes the gavel to Speaker Tim Moore, who calls the House of Representatives to order.

June 30, 2016

The Speaker calls for messages from the Senate and directs the Reading Clerk of the House of Representatives to read as follows:

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION.

Pursuant to House Rule 32, the Joint Resolution is placed on the calendar for immediate consideration.

CALENDAR

The Speaker directs the Reading Clerk of the House of Representatives to read the resolution:

S.J.R. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION, upon second reading.

Pursuant to House Rule 24.1A, Representative Stam requests to be excused from voting.

The Joint Resolution passes its second reading in the House by electronic vote (110-1), and without objection is read a third time and passes its third reading and is ordered enrolled.

ENROLLED RESOLUTION

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. 902, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION. (Res. 2016-22)

The Speaker announces that James Todd Chasteen and Amy Bannister White have been confirmed to membership on the State Board of Education by the General Assembly. He orders the Principal Clerks of the Senate and the House of Representatives to notify the governor of the actions taken.

Upon motion of Senator Phil Berger, President *Pro Tempore*, seconded by Senator Tom Apodaca, the Joint Session is dissolved at 10:19 a.m., and pursuant to the motion prevailing earlier in the Senate, the Senate stands in recess to reconvene at 2:30 p.m.

June 30, 2016

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 804 Senate Committee Substitute No. 2 (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES, and requests conferees. Speaker Moore has appointed:

Representative Hurley, Chair
Representative Hager
Representative Faircloth and
Representative G. Graham

on the part of the House of Representatives 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 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives fails to concur in **H.B. 1044 Senate Committee Substitute No. 2 (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY

June 30, 2016

DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES, and requests conferees. Speaker Moore has appointed:

Representative Boles, Chair
Representative Hager and
Representative Stam

on the part of the House of Representatives 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 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 151** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION.

June 30, 2016

When the appropriate action has been taken by both chambers, the bill will be ordered 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
June 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 561** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS.

When the appropriate action has been taken by both chambers, the bill will be ordered 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
June 29, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 959** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

June 30, 2016

When the appropriate action has been taken by both chambers, the bill will be ordered 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
June 30, 2016

Mr. President:

Pursuant to the message from the House of Representatives on June 28, 2016, that the House failed to concur in **H.B. 1039 Senate Committee Substitute (3rd Edition)**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX. Speaker Moore has appointed:

Representative Lewis, Chair
Representative Davis
Representative Szoka
Representative Brisson
Representative Tine and
Representative S. Martin

on the part of the House of Representatives 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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

June 30, 2016

S.B. 848 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY AND AUTHORIZING THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, July 1.

APPOINTMENT OF A CONFERENCE COMMITTEE

H.B. 1039 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX.

Pursuant to the message from the House of Representatives received June 29, that the House fails to concur in the Senate Committee Substitute bill for H.B. 1039 and requests conferees, Senator Phil Berger, President *Pro Tempore*, appoints Senator B. Jackson, Chair; Senator Krawiec, Senator Brown, Senator Rabin, Senator Meredith, and Senator Clark as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 805 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 30533, which changes the title to read **H.B. 805** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016, is adopted and engrossed.

June 30, 2016

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 770 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on the calendar of Friday, July 1.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 30, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees have been dismissed for **H.B. 1044 Senate Committee Substitute No. 2 (5th Edition)**, A BILL TO BE ENTITLED AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

June 30, 2016

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

With unanimous consent, the President recognizes The Reverend Paul A. Lowe, Jr., Senator from Forsyth County, who offers prayer as follows:

“Thou who art eternal, gracious, and kind, we thank thee for this day. We thank thee for this time, and we thank thee for this period of deliberation. We ask that you’d be with each and every one of us, that we do our best for the Old North State. And all of the people said, ‘Amen.’”

The Chair grants a leave of absence for the remainder of today’s session to Senator Hartsell.

WITHDRAWAL FROM COMMITTEE

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, referred to the **Rules and Operations of the Senate Committee** on June 27.

Pursuant to Rule 47(a), Senator Apodaca offers a motion that the Committee Substitute bill be withdrawn from the **Rules and Operations of the Senate Committee** and placed on today’s calendar, which motion prevails with unanimous consent, and the Chair so orders.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today’s calendar:

H.B. 561 (Conference Report), BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, for adoption.

Upon motion of Senator Apodaca, the Conference Report is withdrawn from today’s calendar and placed on the calendar of Friday, July 1.

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RE-REFERRAL OF A BILL

H.B. 805 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016, reported out of the **Appropriations/Base Budget Committee** earlier today.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill No. 2 is placed on today's calendar.

CONFERENCE REPORT

Senator Barringer, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 482** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill S482-PCCS45553-BB-1.

The Conference Report is placed on the calendar of Friday, July 1, for adoption.

CALENDAR

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

S.B. 739 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, upon second reading.

The House Committee Substitute bill passes its second reading, by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, J. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard--47.

Voting in the negative: None.

The House Committee Substitute bill remains on the calendar for Friday, July 1, for concurrence upon third reading.

S.B. 821 (Committee Substitute No. 2), 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 ADDITIONAL TECHNICAL AND OTHER AMENDMENTS TO THE GENERAL STATUTES, upon second reading.

Senator Apodaca offers Amendment No. 1, which is adopted (47-0).

The 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 by special message.

S.B. 898 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE MAJORITY LEADER OF THE SENATE, upon second reading.

Senator Apodaca 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 by special message.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 742, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER, with an unfavorable report as to the bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 30534, which changes the title to read **H.B. 742** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER AND TO ALLOW NORTH CAROLINA PUBLIC SCHOOLS TO REDUCE COSTS BY ALLOWING THE EMPLOYMENT OF LICENSED SCHOOL MAINTENANCE PLUMBERS, is adopted and engrossed.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill is placed on today's calendar.

CALENDAR *(continued)*

H.B. 548 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFORMING CHANGES UPON THE VOTERS' APPROVAL OF AMENDMENTS TO THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND FOR THE PAYMENT OF

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JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE, upon third reading.

Senator B. Jackson offers Amendment No. 1, which is adopted (46-1).

The Senate Committee Substitute bill, as amended, passes its third reading (32-15) and is ordered engrossed and sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill.

S.B. 124 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, upon second reading.

Upon motion of Senator Apodaca, the House Committee Substitute bill is displaced to the end of today's calendar.

S.B. 105 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Brown, 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.

H.B. 151 (Conference Report), A BILL TO BE ENTITLED AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION, for adoption.

Upon motion of Senator Krawiec, the Senate adopts the Conference Report (47-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

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H.B. 959 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE, for adoption.

Senator McInnis is excused from voting on the bill due to a conflict.

Upon motion of Senator Rabon, the Senate adopts the Conference Report (43-3).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

H.B. 992 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION, upon second reading.

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 by special message.

H.B. 742 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER AND TO ALLOW NORTH CAROLINA PUBLIC SCHOOLS TO REDUCE COSTS BY ALLOWING THE EMPLOYMENT OF LICENSED SCHOOL MAINTENANCE PLUMBERS, upon second reading.

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, by special message, for concurrence in the Senate Committee Substitute bill.

H.B. 805 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016, upon second reading.

The Chair grants a leave of absence for the remainder of today's session to Senator J. Jackson.

Senator B. Jackson offers Amendment No. 1, which is adopted (46-0).

Senator Brown offers Amendment No. 2, which is adopted (46-0).

Upon motion of Senator B. Jackson, the Senate Committee Substitute bill No. 2, as amended, is temporarily displaced.

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S.B. 124 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, displaced earlier upon second reading.

The House Committee Substitute bill passes its second reading, by a three-fifths majority vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Bingham, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hise, B. Jackson, Krawiec, Lee, Lowe, McInnis, McKissick, Meredith, Newton, Pate, Rabin, Rabon, Randleman, Robinson, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---46.

Voting in the negative: None.

The House Committee Substitute bill remains on the calendar for Friday, July 1, for concurrence upon third reading.

REFERRAL OF A JOINT RESOLUTION

Upon motion of Senator Apodaca, without objection, the rules are suspended to allow **S.J.R. 903**, which was filed today, to be introduced today and referred to the **Rules and Operations of the Senate Committee**.

CALENDAR *(continued)*

H.B. 805 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016, as amended, displaced earlier upon second reading.

Senator J. Davis offers Amendment No. 3, which is adopted (46-0) and changes the title to read **H.B. 805** (Senate Committee Substitute No. 2) A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS; TO PROVIDE FOR CERTAIN COUNTY SERVICES ON THE TRUST LANDS OF THE EASTERN BAND OF THE CHEROKEE INDIANS; AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016.

The Senate Committee Substitute bill No. 2, 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, for concurrence in the Senate Committee Substitute bill No. 2.

MOTION TO RECONSIDER

S.B. 50 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX, adopted August 5, 2015.

Senator Apodaca offers a motion that the rules be suspended to the end that the vote by which the Senate adopted the Conference Report be reconsidered, which motion prevails without objection.

CONFERENCE REPORT WITHDRAWN

Senator Bryant withdraws **S.B. 50** (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX, and submits a new Conference Report for adoption.

The new Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill S50-PCCS45486-SV-11.

Upon motion of Senator Apodaca, the new Conference Report is placed on today's calendar for immediate consideration.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 728 (Committee Substitute), A BILL TO BE ENTITLED AN ACT ENLARGING THE TIME FOR CERTIFICATION OF CHIROPRACTIC CLINICAL ASSISTANTS BY THE STATE BOARD OF CHIROPRACTIC EXAMINERS; AND AUTHORIZING THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO IMPOSE FINES AS SANCTIONS AND TO INCREASE ANNUAL LICENSE RENEWAL FEES, with an unfavorable report as to the Committee Substitute bill, but favorable as to the Senate Committee Substitute bill.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill, 40693, which changes the title to read **H.B. 728** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS AND FEES PERTAINING TO VARIOUS OCCUPATIONAL LICENSING BOARDS, is adopted and engrossed.

Upon motion of Senator Apodaca, the rules are suspended and the Senate Committee Substitute bill is placed on today's calendar.

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CALENDAR *(continued)*

S.B. 50 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX, for adoption.

Upon motion of Senator Bryant, the Senate adopts the Conference Report (42-4).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

H.B. 728 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND LAWS AND FEES PERTAINING TO VARIOUS OCCUPATIONAL LICENSING BOARDS, upon second reading.

The Senate Committee Substitute bill 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, for concurrence in the Senate Committee Substitute bill.

PRESENTATION OF THE ORDER OF THE LONG LEAF PINE

Senator Phil Berger, President *Pro Tempore*, presents the Order of the Long Leaf Pine to The Honorable Stan Bingham, Senator from Davidson County.

PRESENTATION OF THE ORDER OF THE LONG LEAF PINE

Senator Phil Berger, President *Pro Tempore*, presents the Order of the Long Leaf Pine to The Honorable Bob Rucho, Senator from Mecklenburg County.

The Senate recesses at 3:46 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 9:00 p.m.

RECESS**ENROLLED BILLS**

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

S.B. 791, AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS.

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S.B. 872, AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

H.B. 136, AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES TO AUTHORIZE A RETIRED BUSINESS COURT JUDGE TO BE RECALLED TO SERVE AS A SENIOR BUSINESS COURT JUDGE.

H.B. 424, AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES.

H.B. 972, AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.

H.B. 984, AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS.

H.B. 1080, AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT.

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

S.B. 774, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO.

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S.B. 852, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE.

H.B. 1126, AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE.

INTRODUCTION OF A RESOLUTION

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

By Senator Apodaca:

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

REFERRAL OF A BILL

S.B. 50 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX, adopted earlier today.

Pursuant to the message received on May 17, that the House of Representatives adopted the Conference Report for S.B. 50, the bill is ordered enrolled.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, with a favorable report, as amended.

Pursuant to Rule 45.1, Committee Amendment No. 1 is adopted and engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 727 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIMING OF THE REFERENDUM FOR AND THE PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, July 1.

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S.B. 132 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF COLUMBIA TO EXTEND THE TERM OF OFFICE FOR THE MAYOR AND CLARIFY THAT THE MEMBERS OF THE BOARD OF ALDERMEN SERVE FOUR-YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN OF HOPE MILLS TO TAKE IMMEDIATE POSSESSION OF REAL PROPERTY CONDEMNED BY THE TOWN FOR RECREATIONAL PURPOSES IN CONNECTION WITH THE HOPE MILLS LAKE AND HOPE MILLS LAKE DAM PROJECT, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the calendar of Friday, July 1.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
June 30, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 482** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE.

When the appropriate action has been taken by both chambers, the bill will be ordered 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. 886 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HONOR CAPTAIN BRADLEY LONG AND ALL FUTURE FIREFIGHTERS AND RESCUE SQUAD WORKERS KILLED IN THE LINE OF DUTY BY AMENDING THE NC FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND TO PROVIDE A SURVIVORSHIP BENEFIT FOR MEMBERS KILLED IN THE LINE OF DUTY; TO CONSOLIDATE PUBLIC RECORDS LAWS RELATING TO RETIREMENT; AND TO MAKE OTHER RETIREMENT AND ADMINISTRATIVE CHANGES, for concurrence in the House Committee Substitute bill.

June 30, 2016

The House Committee Substitute bill is placed on the calendar of Friday, July 1.

RE-REFERRAL OF BILLS

Senator Apodaca orders the re-referral of bills as follows:

H.B. 422, A BILL TO BE ENTITLED AN ACT TO ALLOW FUNERAL PROCESSIONS TO HAVE THE RIGHT-OF-WAY AT INTERSECTIONS REGARDLESS OF TRAFFIC CONTROL SIGNS OR SIGNALS AND TO PROVIDE IMMUNITY TO THE FUNERAL DIRECTOR OR FUNERAL ESTABLISHMENT FOR ANY DEATH, PERSONAL INJURY, OR PROPERTY DAMAGE CAUSED BY THE ACTION OR INACTION OF A PERSON OPERATING A VEHICLE IN A FUNERAL PROCESSION, referred to the **Rules and Operations of the Senate Committee** on April 22, 2015.

The bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Transportation Committee**.

H.B. 1047 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA LOTTERY COMMISSION TO PROVIDE CERTAIN CASH LOTTERY WINNINGS INFORMATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES; TO CROSS-CHECK WITH THE INFORMATION OF APPLICANTS FOR OR RECIPIENTS OF FOOD AND NUTRITION BENEFITS; TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE EXTENT TO WHICH NORTH CAROLINA CAN DISQUALIFY LOTTERY WINNERS FROM RECEIPT OF FOOD AND NUTRITION BENEFITS; AND TO IMPLEMENT CERTAIN DISQUALIFICATION PERIODS FOR NONCOMPLIANCE WITH WORK REQUIREMENTS FOR FOOD AND NUTRITION BENEFITS, referred to the **Rules and Operations of the Senate Committee** on June 20.

The Committee Substitute bill is withdrawn from the **Rules and Operations of the Senate Committee** and re-referred to the **Health Care Committee**.

The Senate meets pursuant to recess and is called to order by The Honorable Trudy Wade, Senator from Guilford County.

Upon motion of Senator Brown, seconded by Senator Barefoot, the Senate adjourns at 9:03 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene Friday, July 1, at 9:30 a.m.

ONE HUNDRED EIGHTY-FIRST DAY

Senate Chamber
Friday, July 1, 2016

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

The Senate recesses at 9:35 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 11:00 a.m.

RECESS**ENROLLED BILLS**

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

S.B. 105, AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

S.B. 814, AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY.

H.B. 151, AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDDING AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION.

H.B. 550, AN ACT TO AUTHORIZE OWNERSHIP OF SERVICE ANIMALS OWNED BY THE STATE OR A UNIT OF LOCAL GOVERNMENT TO BE TRANSFERRED TO THE SERVICE ANIMAL'S HANDLER OR OTHER SPECIFIED PERSONS UPON THE SERVICE ANIMAL'S RETIREMENT FROM PUBLIC SERVICE.

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H.B. 630, AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION.

H.B. 742, AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER AND TO ALLOW NORTH CAROLINA PUBLIC SCHOOLS TO REDUCE COSTS BY ALLOWING THE EMPLOYMENT OF LICENSED SCHOOL MAINTENANCE PLUMBERS.

H.B. 959, AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

H.B. 992, AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION.

H.B. 1044, AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES.

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

S.B. 50, AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX.

The Senate meets pursuant to recess and is called to order by The Honorable Fletcher L. Hartsell, Jr., Senator from Cabarrus County.

Prayer is offered by The Honorable Don Davis, Senator from Greene County, as follows:

“Almighty God, I’m so thankful for our state and our nation, and I’m especially thankful for our freedom and the sacrifices others have made to protect it. Above all, I’m grateful for the freedom from sin and for the grace that you offer each of us. Because of this freedom, our heart and souls are free to praise you. Now, God, bless all those who serve, and especially those who are preparing to journey on. God, I lift up Senator Hartsell, Rucho, Apodaca, and Bingham, and all of those who are here. Now, Lord, bring us a higher sense of patriotism as we prepare for the fourth of July. May all that this day symbolizes renew our faith in freedom, our devotion to democracy, and our efforts to keep a government which is of the people, by the people, and for the people, alive in our state and nation. Lastly, I pray we never take our freedom for granted. For Christ’s sake, let everyone say, ‘Amen.’”

Senator Berger, President *Pro Tempore*, announces that the Senate Journal of Thursday, June 30, has been examined and is found to be correct. Upon his motion, the Senate dispenses with the reading of the Senate Journal, and it stands approved as written.

The Chair grants leaves of absence for today to Senator Bingham, Senator Clark, Senator J. Jackson, Senator Lee, Senator Newton, Senator Robinson, and Senator Tarte.

REFERRAL OF BILLS

Upon motion of Senator Apodaca, the rules are suspended to allow all bills received today and all conference reports reported in today to be placed on today’s calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 667 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CONSISTENCY IN THE TIME PROVIDED TO COMPLETE ELECTION CANVASSES; TO REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL ACTS AGAINST FACIAL

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CHALLENGES; TO PROVIDE FOR BALLOT ORDERING OF CANDIDATES FOR JUDGE OF THE COURT OF APPEALS; TO REQUIRE EXPLANATORY CAPTIONS FOR CONSTITUTIONAL AMENDMENTS ON BALLOTS; TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY MUNICIPAL ELECTIONS IN EVEN-NUMBERED YEARS; TO UPDATE THE FILING PERIOD FOR ELECTIONS IN THE CITY OF REIDSVILLE; AND TO PROVIDE FOR PARTICIPATION IN THE CENSUS REDISTRICTING DATA PROGRAM AND FOR RETURN OF ELECTION DATA, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on the end of today's calendar.

CALENDAR

Bills and a resolution on today's calendar are taken up and disposed of as follows:

S.B. 739 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE, for concurrence upon third reading.

The Senate concurs in the House Committee Substitute bill on its third reading, by roll-call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled.

S.B. 727 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIMING OF THE REFERENDUM FOR AND THE PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, upon second reading.

Upon motion of Senator Tillman, the Senate fails to concur in the House Committee Substitute bill (0-43) on its second reading, by roll-call vote, ayes 0, noes 43, as follows:

Voting in the affirmative: None.

Voting in the negative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---43.

The House of Representatives is notified by special message.

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MOTIONS RELATIVE TO THE CALENDAR

The following changes are made to today's calendar:

S.B. 132 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF COLUMBIA TO EXTEND THE TERM OF OFFICE FOR THE MAYOR AND CLARIFY THAT THE MEMBERS OF THE BOARD OF ALDERMEN SERVE FOUR-YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN OF HOPE MILLS TO TAKE IMMEDIATE POSSESSION OF REAL PROPERTY CONDEMNED BY THE TOWN FOR RECREATIONAL PURPOSES IN CONNECTION WITH THE HOPE MILLS LAKE AND HOPE MILLS LAKE DAM PROJECT, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on today's supplemental calendar.

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is withdrawn from today's calendar and placed on today's supplemental calendar.

CALENDAR *(continued)*

S.B. 848 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY AND AUTHORIZING THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Barringer, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled.

S.B. 124 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM, for concurrence upon third reading.

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Upon motion of Senator Apodaca, the Senate concurs in the House Committee Substitute bill on its third reading, by a three fifths majority vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Alexander, Apodaca, Ballard, Barefoot, Barringer, Berger, Blue, Brock, Brown, Bryant, Chaudhuri, Cook, Curtis, Daniel, D. Davis, J. Davis, Ford, Foushee, Gunn, Harrington, Hartsell, Hise, B. Jackson, Krawiec, Lowe, McInnis, McKissick, Meredith, Pate, Rabin, Rabon, Randleman, Rucho, Sanderson, Smith, Smith-Ingram, Tillman, Tucker, Van Duyn, Waddell, Wade, Wells and Woodard---43.

Voting in the negative: None.

The House Committee Substitute bill is ordered enrolled and sent to the Governor by special message.

S.B. 770 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY, for concurrence in the House Committee Substitute bill No. 2.

Upon motion of Senator B. Jackson, 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.

S.B. 886 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO HONOR CAPTAIN BRADLEY LONG AND ALL FUTURE FIREFIGHTERS AND RESCUE SQUAD WORKERS KILLED IN THE LINE OF DUTY BY AMENDING THE NC FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND TO PROVIDE A SURVIVORSHIP BENEFIT FOR MEMBERS KILLED IN THE LINE OF DUTY; TO CONSOLIDATE PUBLIC RECORDS LAWS RELATING TO RETIREMENT; AND TO MAKE OTHER RETIREMENT AND ADMINISTRATIVE CHANGES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Wells, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 482 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, for adoption.

Upon motion of Senator Barringer, the Senate adopts the Conference Report (43-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

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CONFERENCE REPORT

Senator Tucker, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 561** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS, as amended by the Senate, withdraws the Conference Report submitted on June 29, and submits a new Conference Report for adoption.

The new Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H561-PCCS10574-RQ-7, which, upon adoption, will change the title to read, **H.B. 561** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS.

Upon motion of Senator Apodaca, the new Conference Report is placed on today's calendar for immediate consideration.

CALENDAR *(continued)*

H.B. 561 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS, for adoption.

Upon motion of Senator Tucker, the Senate adopts the Conference Report (43-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

S.B. 667 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CONSISTENCY IN THE TIME PROVIDED TO COMPLETE ELECTION CANVASSES; TO REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL ACTS AGAINST FACIAL CHALLENGES; TO PROVIDE FOR BALLOT ORDERING OF CANDIDATES FOR JUDGE OF THE COURT OF APPEALS; TO REQUIRE EXPLANATORY CAPTIONS FOR CONSTITUTIONAL AMENDMENTS ON BALLOTS; TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY MUNICIPAL ELECTIONS IN

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EVEN-NUMBERED YEARS; TO UPDATE THE FILING PERIOD FOR ELECTIONS IN THE CITY OF REIDSVILLE; AND TO PROVIDE FOR PARTICIPATION IN THE CENSUS REDISTRICTING DATA PROGRAM AND FOR RETURN OF ELECTION DATA, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the House Committee Substitute bill is withdrawn from today's calendar and placed on today's supplemental calendar.

POINTS OF PERSONAL PRIVILEGE

Upon motion of Senator Hise, the words spoken by Senator Rabon and Senator Rucho are spread upon the Journal as follows:

SENATOR RABON: “Ladies and gentlemen, yesterday we bestowed upon a couple of our members who are departing a symbol of gratitude from the Governor—whose signature was debatable on one of those. But today, I would like to convey to a good friend of mine a symbol of leadership. I will present this gavel to Senator Bob Rucho. In the Senate, ladies and gentlemen, we do not give these things out every day—we try to stay green, and we want our trees to grow—but on occasion we do. This gavel is time-worn. It has been shaken at all you people up there who are lobbyists, if you'd like to stand. It has been used to gavel you down, it has been used when Senator Rucho had to call a vote with impartiality, and it has been used on you lobbyists, whom he suffered with civility. But, very seriously, I would like to give this to Senator Rucho, for him to know that forever, and to remember forever, that he has served millions of North Carolinians. You have served them fairly, and you've served them honestly. I can tell you, Senator Rucho, not everyone can say this about themselves, but I will say this about you, you are leaving the state of North Carolina better than you found it. God bless you, and thank you for your service.”

SENATOR RUCHO: “I have been honored on two occasions—I was dumb enough to come back the second time—but on two occasions I've been honored to be a member of the Senate family. I can't tell you how much that means to me. We've had some great times together—not always agreed—but worked in the best interests of the state and the people of our state. After the description of this gavel, I'm not sure I want to own this one. But I will say to you that, as most of us try to do, we come to North Carolina in the State Senate and the General Assembly with the best interests in heart to make North Carolina the very best state in the country—and we've succeeded, ladies and gentlemen. We have made some great strides, as Senator Rabon alluded to. We are actually leaving North Carolina better than we found it when we came in 2011—fiscally, tax-wise, regulatory, and the like. That does not come easy, as you all know. There is sacrifice, there is hard work, there's discipline, and sometimes you just have to say 'no' in situations. It's easy to say 'yes.' All of that comes with also an important part in my experience here for almost 16 years, a fellow that I have

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served with for a good many of those years who, without his leadership, and that's critical, ladies and gentlemen, without the leadership of my friend, Phil Berger—he has been a stalwart. He has been the person giving us a direction of what conservative values put forward in North Carolina. What we've seen from that, and that kind of leadership, clearly shows how successful it is and how successful North Carolina is now and will be if this General Assembly, and specifically the Senate, continues to work hard in that direction. I can't tell you, I mean we've not always agreed, but I will say finally he understands that I was right in all the times we disagreed. I can't tell you, Senator Rabon—thank you very much. Members of the Senate, it's been really my honor to be part of this family. I leave saddened, but I also leave with a smile on my face because I know I don't have to be here anymore on the 4th of July. So, thank you all. Senator Berger, thank you for your leadership and your friendship, and each of you, I wish you the very best. God bless you all. Thank you.”

APPOINTMENT OF A CONFERENCE COMMITTEE

S.B. 727 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIMING OF THE REFERENDUM FOR AND THE PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY.

Pursuant to the Senate having failed to concur in the House Committee Substitute for S.B. 727 earlier today, Senator Apodaca announces the President *Pro Tempore's* appointment of Senator Rabon, Chair; Senator Rucho and Senator Tillman as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action and requesting conferees.

The Senate recesses at 11:49 a.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 2:00 p.m.

RECESS

REFERRAL OF A BILL

S.B. 482 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE, adopted earlier today.

Pursuant to the message received on June 29, that the House of Representatives adopted the Conference Report for S.B. 482, 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:

House of Representatives
June 30, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 561** (Conference Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages are received from the House of Representatives:

S.B. 326 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE CONDITIONS UNDER WHICH COUNTIES AND CITIES MAY INSPECT BUILDINGS OR STRUCTURES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's supplemental calendar.

S.B. 673 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECOVERY OF CAPITAL-RELATED COSTS INCURRED BY A NATURAL GAS UTILITY FOR CONSTRUCTING NATURAL GAS INFRASTRUCTURE FOR A LARGE MANUFACTURING EMPLOYER, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's supplemental calendar.

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S.B. 865 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's supplemental calendar.

H.B. 1074 (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOLS AND CHILD CARE FACILITIES IN NORTH CAROLINA PERMITTED FOR CONSTRUCTION PRIOR TO JANUARY 1, 1987, TO TEST DRINKING WATER FOR THE PRESENCE OF LEAD AND TO CREATE THE HOUSE SELECT STUDY COMMITTEE ON HEALTH AND SAFETY IN OUTDOOR WATER RECREATION SITES AND TO REGULATE WATER RECREATION ATTRACTIONS TO PROTECT THE HEALTH AND SAFETY OF FACILITY PATRONS AND TO CLARIFY THE SEARCH AUTHORITY OF MARINE INSPECTORS.

Referred to the **Health Care Committee**.

S.B. 898 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MAJORITY LEADER OF THE SENATE, AND TO MAKE TECHNICAL CHANGES, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on today's supplemental calendar.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 1030** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

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When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

ENROLLED BILL

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

H.B. 1030, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.

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

SUPPLEMENTAL CALENDAR

Bills and a resolution on today's supplemental calendar are taken up and disposed of as follows:

S.B. 132 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF COLUMBIA TO EXTEND THE TERM OF OFFICE FOR THE MAYOR AND CLARIFY THAT THE MEMBERS OF THE BOARD OF ALDERMEN SERVE FOUR-YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN OF HOPE MILLS TO TAKE IMMEDIATE POSSESSION OF REAL PROPERTY CONDEMNED BY THE TOWN FOR RECREATIONAL PURPOSES IN CONNECTION WITH THE HOPE MILLS LAKE AND HOPE MILLS LAKE DAM PROJECT, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (41-0) and the bill is ordered enrolled.

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is displaced to the end of today's supplemental calendar.

S.B. 326 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE CONDITIONS UNDER WHICH COUNTIES AND CITIES MAY INSPECT BUILDINGS OR STRUCTURES, for concurrence in the House Committee Substitute bill.

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Upon motion of Senator Gunn, the Senate concurs in the House Committee Substitute bill (42-1) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 667 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE CONSISTENCY IN THE TIME PROVIDED TO COMPLETE ELECTION CANVASSES; TO REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL ACTS AGAINST FACIAL CHALLENGES; TO PROVIDE FOR BALLOT ORDERING OF CANDIDATES FOR JUDGE OF THE COURT OF APPEALS; TO REQUIRE EXPLANATORY CAPTIONS FOR CONSTITUTIONAL AMENDMENTS ON BALLOTS; TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY MUNICIPAL ELECTIONS IN EVEN-NUMBERED YEARS; TO UPDATE THE FILING PERIOD FOR ELECTIONS IN THE CITY OF REIDSVILLE; AND TO PROVIDE FOR PARTICIPATION IN THE CENSUS REDISTRICTING DATA PROGRAM AND FOR RETURN OF ELECTION DATA, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Rucho, the Senate concurs in the House Committee Substitute bill (30-13) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 673 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECOVERY OF CAPITAL-RELATED COSTS INCURRED BY A NATURAL GAS UTILITY FOR CONSTRUCTING NATURAL GAS INFRASTRUCTURE FOR A LARGE MANUFACTURING EMPLOYER, for concurrence in the House Committee Substitute bill.

Pursuant to Rule 29(f), Senator Alexander withdraws his excuse from voting.

Pursuant to Rule 29(f), Senator Blue withdraws his excuse from voting.

Pursuant to Rule 29(f), Senator Brown withdraws his excuse from voting.

Upon motion of Senator Apodaca, the Senate concurs in the House Committee Substitute bill (37-6) and the bill is ordered enrolled and sent to the Governor by special message.

S.B. 865 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Sanderson, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled and sent to the Governor by special message.

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S.B. 898 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MAJORITY LEADER OF THE SENATE, AND TO MAKE TECHNICAL CHANGES, for concurrence in the House Committee Substitute bill.

Upon motion of Senator Apodaca, the Senate concurs in the House Committee Substitute bill (43-0) and the bill is ordered enrolled.

MOTION RELATIVE TO THE CALENDAR

The following change is made to today's calendar:

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is displaced until later today.

The Senate recesses at 2:31 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 4:00 p.m.

RECESS

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2016

Mr. President:

Pursuant to the information that your Honorable Body failed to concur in **S.B. 727 House Committee Substitute (4th Edition)**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TIMING OF THE REFERENDUM FOR AND THE PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY, and requests conferees, Speaker Moore has appointed:

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Representative Boles, Chair
Representative McNeill

on the part of the House of Representatives 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

The Senate meets pursuant to recess and is called to order by Lieutenant Governor Dan Forest.

The Senate recesses at 4:06 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 5:30 p.m.

RECESS

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message is received from the House of Representatives:

S.B. 803 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill No. 2.

The House Committee Substitute bill No. 2 is placed on today's supplemental calendar.

CONFERENCE REPORT

Senator B. Jackson, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 1039** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX; TO MODIFY THE USE OF THE PROCEEDS OF THE JACKSONVILLE CITY OCCUPANCY TAX; TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MAKE CHANGES TO THE CUMBERLAND COUNTY OCCUPANCY TAX AND PREPARED FOOD TAX, submits a Conference Report for adoption.

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The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H1039-PCCS10576-SVx-12, which, upon adoption, will change the title to read, **H.B. 1039** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX.

The Conference Report is placed on today's supplemental calendar, for adoption.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

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

H.B. 483 (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, with an unfavorable report as to the Senate Committee Substitute bill, but favorable as to the Senate Committee Substitute bill No. 2.

Pursuant to Rule 45.1, the proposed Senate Committee Substitute bill No. 2, 40695, is adopted and engrossed.

The Senate Committee Substitute bill No. 2 is placed on today's supplemental calendar.

ENROLLED BILLS

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

S.B. 124, AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM.

S.B. 326, AN ACT REVISING THE CONDITIONS UNDER WHICH COUNTIES AND CITIES MAY INSPECT BUILDINGS OR STRUCTURES.

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S.B. 482, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE.

S.B. 667, AN ACT TO CREATE CONSISTENCY IN THE TIME PROVIDED TO COMPLETE ELECTION CANVASSES; TO REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL ACTS AGAINST FACIAL CHALLENGES; TO PROVIDE FOR BALLOT ORDERING OF CANDIDATES FOR JUDGE OF THE COURT OF APPEALS; TO REQUIRE EXPLANATORY CAPTIONS FOR CONSTITUTIONAL AMENDMENTS ON BALLOTS; TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY MUNICIPAL ELECTIONS IN EVEN-NUMBERED YEARS; TO UPDATE THE FILING PERIOD FOR ELECTIONS IN THE CITY OF REIDSVILLE; AND TO PROVIDE FOR PARTICIPATION IN THE CENSUS REDISTRICTING DATA PROGRAM AND FOR RETURN OF ELECTION DATA.

S.B. 673, AN ACT TO PROVIDE RECOVERY OF CAPITAL-RELATED COSTS INCURRED BY A NATURAL GAS UTILITY FOR CONSTRUCTING NATURAL GAS INFRASTRUCTURE FOR A LARGE MANUFACTURING EMPLOYER.

S.B. 747, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY.

S.B. 770, AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY.

S.B. 865, AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES.

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S.B. 886, AN ACT TO HONOR CAPTAIN BRADLEY LONG AND ALL FUTURE FIREFIGHTERS AND RESCUE SQUAD WORKERS KILLED IN THE LINE OF DUTY BY AMENDING THE NC FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND TO PROVIDE A SURVIVORSHIP BENEFIT FOR MEMBERS KILLED IN THE LINE OF DUTY; TO CONSOLIDATE PUBLIC RECORDS LAWS RELATING TO RETIREMENT; AND TO MAKE OTHER RETIREMENT AND ADMINISTRATIVE CHANGES.

H.B. 561, AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS.

H.B. 805, AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS; TO PROVIDE FOR CERTAIN COUNTY SERVICES ON THE TRUST LANDS OF THE EASTERN BAND OF THE CHEROKEE INDIANS; AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016.

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

S.B. 898, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MAJORITY LEADER OF THE SENATE, AND TO MAKE TECHNICAL CHANGES.

S.B. 132, AN ACT TO AMEND THE CHARTER OF THE TOWN OF COLUMBIA TO EXTEND THE TERM OF OFFICE FOR THE MAYOR AND CLARIFY THAT THE MEMBERS OF THE BOARD OF ALDERMEN SERVE FOUR-YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN OF HOPE MILLS TO TAKE IMMEDIATE POSSESSION OF REAL PROPERTY CONDEMNED BY THE TOWN FOR RECREATIONAL PURPOSES IN CONNECTION WITH THE HOPE MILLS LAKE AND HOPE MILLS LAKE DAM PROJECT.

S.B. 739, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE.

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S.B. 848, AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY AND AUTHORIZING THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS.

The Senate meets pursuant to recess and is called to order by The Honorable Tom Apodaca, Chair of the Rules and Operations of the Senate Committee.

Upon the appearance of Senator J. Jackson and Senator Lee in the chamber, the Chair acknowledges their presence and the leaves of absence granted previously are withdrawn.

The Chair grants leaves of absence for the remainder of today's session to Senator Berger and Senator D. Davis.

SUPPLEMENTAL CALENDAR *(continued)*

H.B. 1039 (Conference Report), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AUTHORIZATION FOR SAMPSON COUNTY OCCUPANCY TAX; TO CREATE A SPECIAL TAXING DISTRICT IN HARNETT COUNTY AND AUTHORIZE THAT SPECIAL TAXING DISTRICT TO LEVY AN OCCUPANCY TAX; AND TO MODIFY THE YADKIN COUNTY OCCUPANCY TAX, for adoption.

Upon motion of Senator B. Jackson, the Senate adopts the Conference Report (36-7).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

H.B. 483 (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE, upon second reading.

The Senate 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 sent to the House of Representatives, by special message, for concurrence in the Senate Committee Substitute bill No. 2.

S.B. 803 (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, for concurrence in the House Committee Substitute bill No. 2.

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Upon motion of Senator Rabon, 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.

DISMISSAL AND APPOINTMENT OF CONFEREES

Senator Louis Pate, Deputy President *Pro Tempore*, announces that the Senate conferees appointed on June 29 for **H.B. 169** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, are hereby dismissed and that new conferees have been appointed. He announces the President *Pro Tempore's* appointment of Senator Apodaca, Chair; Senator Tucker, and Senator Rucho as conferees on the part of the Senate to resolve the differences arising between the two bodies. A special message is ordered sent to the House of Representatives informing that honorable body of such action.

The Senate recesses at 6:19 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 9:00 p.m.

RECESS

DISMISSAL AND APPOINTMENT OF CONFEREES

Senator Berger, President *Pro Tempore*, hereby dismisses Senator Rucho as a conferee and appoints Senator Gunn to serve as a conferee for **H.B. 169** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

A special 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 1, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that conferees for **H.B. 169 Senate Committee Substitute No. 3 (6th Edition)**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA have been dismissed and new conferees have been appointed. Speaker Moore has appointed:

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Representative Lewis, Chair
Representative McGrady and
Representative Bishop

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. 508 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BAIL BOND, COLLECTION AGENCY, AND CRIMINAL MEDIATION LAWS, for concurrence in the House Committee Substitute bill.

The House Committee Substitute bill is placed on tonight's supplemental calendar.

ENROLLED BILLS

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

S.B. 803, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.

H.B. 728, AN ACT TO AMEND LAWS AND FEES PERTAINING TO VARIOUS OCCUPATIONAL LICENSING BOARDS.

The Senate meets pursuant to recess and is called to order by The Honorable Louis Pate, Deputy President *Pro Tempore*.

The Chair grants leaves of absence for the remainder of tonight's session to Senator Meredith, Senator Smith, and Senator Tillman.

Upon the appearance of Senator Berger and Senator D. Davis in the chamber, the Chair acknowledges their presence and the leaves of absence granted previously are withdrawn.

DISMISSAL AND APPOINTMENT OF CONFEREES

Senator Berger, President *Pro Tempore*, hereby dismisses Senator Gunn as a conferee and appoints Senator Rucho to serve as a conferee for **H.B. 169** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA.

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A special message is ordered sent to the House of Representatives informing that honorable body of such action.

SUPPLEMENTAL CALENDAR *(continued)*

S.B. 508 (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BAIL BOND, COLLECTION AGENCY, AND CRIMINAL MEDIATION LAWS, for concurrence in the House Committee Substitute bill.

Senator Apodaca is excused from voting on the bill due to a possible conflict of interest.

Upon motion of Senator Lee, the Senate concurs in the House Committee Substitute bill (41-0) and the bill is ordered enrolled and sent to the Governor by special message.

CONFERENCE REPORT

Senator Hise, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 838** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, submits a Conference Report for adoption.

The Conference Report is placed on tonight's supplemental calendar, for adoption.

The Senate recesses at 9:28 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 9:45 p.m.

RECESS

CONFERENCE REPORT

Senator Tucker, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **S.B. 371** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODERNIZE DATA COLLECTION BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO LME/MCO MANAGED CARE CLAIMS; REITERATE THE APPROVAL PROCESS FOR COUNTY DISENGAGEMENT; REFINE THE APPOINTMENT PROCESS FOR THE AREA BOARD; AMEND THE APPOINTMENT AND TERMINATION NOTICE FOR THE AREA DIRECTOR; CLARIFY THE SALARY APPROVAL PROCESS FOR EMPLOYEE SALARIES ABOVE THE

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ALLOWABLE AMOUNT; REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES; PROVIDE DIRECTION TO THE DEPARTMENT ON SINGLE-STREAM ALLOCATION AND THE PROCESSING OF SINGLE-STREAM ENCOUNTER CLAIMS OR OTHER NON-MEDICAID CLAIMS THROUGH NC TRACKS; AND DEVELOP A PLAN TO EXTEND COMMUNITY GUIDE SERVICES, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill, S371-PCCS45548-TR-6, which, upon adoption, will change the title to read, **S.B. 371** (Conference Committee Substitute) A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN REQUIREMENTS PERTAINING TO LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS.

The Conference Report is placed on tonight's supplemental calendar, for adoption.

The Senate meets pursuant to recess and is called to order by Senator Louis Pate, Deputy President *Pro Tempore*.

CONFERENCE REPORT

Senator Apodaca, for the conferees appointed to consider the differences arising between the Senate and the House of Representatives on **H.B. 169** (Senate Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA, submits a Conference Report for adoption.

The Conference Report deletes the entire existing bill and substitutes the Proposed Conference Committee Substitute bill H169-PCCS40696-TC-9, which, upon adoption, will change the title to read, **H.B. 169** (Conference Committee Substitute) A BILL TO BE ENTITLED AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE.

The Conference Report is placed on tonight's supplemental calendar, for adoption.

SUPPLEMENTAL CALENDAR *(continued)*

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Apodaca, the Joint Resolution is displaced to the end of tonight's supplemental calendar.

S.B. 838 (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION, for adoption.

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Senator Ford is excused from voting on the bill due to a possible conflict of interest.

Upon motion of Senator Hise, the Senate adopts the Conference Report (40-0).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

S.B. 371 (Conference Report), A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN REQUIREMENTS PERTAINING TO LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS, for adoption.

Senator Ford is excused from voting on the bill due to a potential conflict with his employment.

Upon motion of Senator Tucker, the Senate adopts the Conference Report (36-5).

The Chair orders a special 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 1, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **S.B. 838** (Conference Report), A BILL TO BE ENTITLED AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Pursuant to the Senate having adopted the Conference Report for S.B. 838 earlier tonight, the bill is ordered enrolled and sent to the Governor by special message.

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SUPPLEMENTAL CALENDAR *(continued)*

H.B. 169 (Conference Report), A BILL TO BE ENTITLED AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE, for adoption.

The Chair grants a leave of absence for the remainder of tonight's session to Senator Apodaca.

Upon motion of Senator Berger, the Senate adopts the Conference Report (27-14).

The Chair orders a special message sent to the House of Representatives informing that honorable body of such action.

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

Upon motion of Senator Berger, the Joint Resolution is temporarily displaced and the Senate stands in recess.

The Senate recesses at 10:26 p.m., subject to the standard stipulations set forth in Senate Rule 24.1, the receipt of committee reports, the ratification of bills, the receipt of messages from the House of Representatives, the receipt of conference reports, and the appointment of conferees, to reconvene at 10:40 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Louis Pate, Deputy President *Pro Tempore*.

PRESENTATION OF THE ORDER OF THE LONG LEAF PINE

Senator Phil Berger, President *Pro Tempore*, presents the Order of the Long Leaf Pine to The Honorable Fletcher L. Hartsell, Jr., Senator from Cabarrus County.

Upon motion of Senator B. Jackson, the words spoken by Senator Berger and Senator Hartsell are spread upon the Journal as follows:

SENATOR BERGER: "Unlike Senator Bingham, Senator Hartsell doesn't have a motorcycle that's gassed up, but I'm sure he is, of course, after the length of time that he's been here, about ready to call it a day. We have, earlier, in a series of speeches made on this floor, thanked him for his service, and I would just reiterate those things. When we, the other day, were able to honor some of our retirees with awards, Senator Hartsell was out at that time. We were unable to take the time to do that then. Senator Hartsell, I have an 'Order of the Long Leaf Pine' that is being presented to you. It's signed by the Governor, for the Honorable Fletcher Hartsell, the Order of the Long Leaf Pine. You, probably, as well as anyone in the chamber, know the toast that you are now privileged to lead in any congregation or group of individuals that you happen to be among. Congratulations, Fletcher."

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SENATOR HARTSELL: “Mr. President *Pro Tem*, Phil, thank you so much. ‘Here’s to the land of the long leaf pine.’ I simply want to say one thing. I’ve been trying to figure out what I wanted my last comments to be—I didn’t really want them to be what I had to say the other day. When I first ran for this office in 1990, when my children were—when the oldest was a freshman in high school—he was the doctor of the day here earlier—and when my middle child was a seventh grader—and she had the prayer last year as a minister with the Salvation Army—it helped remind me of the first comments I ever made in any speech running for this office in 1990. I quoted a fellow by the name of Jefferson, who in a few days we will know a lot more about, we know it every Fourth of July. I hope it has memorialized, at least in some ways, the service that I, and we all, seek to share with each other. A very simple statement: ‘Each generation owes to the next those opportunities and possibilities for life at least as great as those passed to it by his own parents.’ I hope that in these last 26 years, the service I have engaged in has promoted those opportunities and possibilities for life for what really amounts to two generations: my children, my grandchildren; your children and grandchildren. Of course I have a picture of them right here on my monitor—taken at Easter. But most of all, as we all go forward in this chamber—because we truly are, as we spoke the other night, a family—let me help and commission each of you and myself, even leaving, to continue to provide those opportunities and possibilities at least as great as those passed on to it by his own parents. My mother turned 96 three weeks ago; I share the name of my father. I hope that I’ve honored them. I know that each of you feel the same way about your family and friends. As we go forward in this state, I am confident that this Senate will continue to lead in that way. Mr. President, I thank you for the honor. I truly do. ‘Here’s to the land of the long leaf pine, the summer land where the sun doth shine, where the weak grow strong and the strong grow great, here’s to our home, the Old North State.’ Thank you.”

SUPPLEMENTAL CALENDAR *(continued)*

S.J.R. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, upon second reading.

The Joint Resolution passes its second reading (40-0) 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.

ENROLLED BILLS

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

S.B. 508, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BAIL BOND, COLLECTION AGENCY, AND CRIMINAL MEDIATION LAWS.

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H.B. 483, AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE.

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

S.B. 890, AN ACT TO ALLOW THE TOWN OF MARIETTA TO HOLD MUNICIPAL ELECTIONS EVERY FOUR YEARS.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has adopted the report of the Conferees on **H.B. 169** (Conference Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE.

When the appropriate action has been taken by both chambers, the bill will be ordered enrolled.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

ENROLLED BILLS AND A RESOLUTION

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

H.B. 169, AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE.

S.B. 815, AN ACT TO AUTHORIZE LONGLEAF SCHOOL OF THE ARTS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

S.B. 838, AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION.

July 1, 2016

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. 903, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY. (Res. 2016-23)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
July 1, 2016

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives has concluded the business of the 2016 Session of the 2015 General Assembly and pursuant to **S.J.R. 903 (2nd Edition)**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY, is adjourning sine die.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

Upon motion of Senator Berger, seconded by Senator Tucker, the Senate adjourns *sine die* at 11:48 p.m., in accordance with Senate Joint Resolution 903, subject to the ratification of bills and the receipt of messages from the House of Representatives.

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. 667, AN ACT TO AMEND PENALTIES AND REMEDIES FOR FACILITIES LICENSED TO CARE FOR THE MENTALLY ILL, DEVELOPMENTALLY DISABLED, OR SUBSTANCE ABUSERS AND FOR ADULT CARE HOME FACILITIES AND TO REMOVE THE SUNSET FOR THE PILOT PROGRAM TO STUDY THE USE OF ELECTRONIC SUPERVISION DEVICES IN CERTAIN FACILITIES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-50)

July 1, 2016

H.B. 19, AN ACT TO AMEND ARTICLE 84 OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE A TECHNICAL CORRECTION TO THE DEFINITION OF FIREFIGHTER TO INCLUDE FIREFIGHTERS EMPLOYED BY COUNTY FIRE MARSHAL OFFICES, TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF TRUSTEES TO PAY EXPENSES OF LOCAL FIREFIGHTERS' RELIEF FUNDS, TO UPDATE THE APPOINTMENT PROCEDURES FOR LOCAL FIREFIGHTERS' RELIEF FUND BOARDS OF TRUSTEES, TO CHANGE THE NAME OF THE NORTH CAROLINA STATE FIREMEN'S ASSOCIATION TO THE NORTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION, AND TO CLARIFY THAT FIRE ALARMS THAT ARE UNINTENTIONAL AND RESULT IN NO DAMAGE ARE NOT CONSIDERED WHEN CALCULATING MINIMUM RESPONSE REQUIREMENTS FOR INITIAL RATING OR CLASSIFICATION UNDER G.S. 58-36-10(3). (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-51)

S.B. 807, AN ACT TO CONFORM TO THE COMPARABLE PROVISION OF THE UNIFORM COMMERCIAL CODE THIS STATE'S LAW ON ACCORD AND SATISFACTION OF A DISPUTED DEBT THROUGH THE TENDERING OF A NEGOTIABLE INSTRUMENT AS FULL PAYMENT OF THE DEBT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-52)

S.B. 805, AN ACT TO ENACT THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT AND MAKE CONFORMING AMENDMENTS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-53)

H.B. 464, AN ACT TO ADJUST THE COMPOSITION OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES, TO PROVIDE THAT ALL MEMBERS OF THE BOARD OF TRUSTEES SHALL BE VOTING MEMBERS, TO AUTHORIZE REGIONAL TRANSPORTATION AUTHORITIES TO HIRE A CHIEF ADMINISTRATIVE OFFICER, AND TO CLARIFY THE VOTING PROCESS BY MEMBERS OF THE BOARD OF TRUSTEES OF REGIONAL TRANSPORTATION AUTHORITIES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-54)

H.B. 1137, AN ACT TO ENACT THE TREASURER'S 2016 INVESTMENT AND ADMINISTRATIVE CHANGES ACT. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-55)

H.B. 1011, AN ACT TO ENACT THE RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-56)

July 1, 2016

S.B. 536, AN ACT TO PROVIDE ACCURATE AND COMPLETE DATA TO STUDENTS ON POSTSECONDARY STUDENT COMPLETION, GRADUATION, AND EARNINGS OUTCOMES AT NORTH CAROLINA POSTSECONDARY INSTITUTIONS AND TO PROVIDE FOR A COORDINATED AND CENTRALIZED RESIDENCY DETERMINATION PROCESS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-57)

S.B. 330, AN ACT TO AMEND THE LAW REGARDING CHANGE ORDERS ON SCHOOL CONSTRUCTION PROJECTS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-58)

H.B. 870, AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME AND TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-59)

H.B. 436, AN ACT TO FURTHER DEFINE THE TERM "PRACTICE LAW" FOR THE PURPOSE OF PROTECTING MEMBERS OF THE PUBLIC FROM HARM RESULTING FROM THE UNAUTHORIZED PRACTICE OF LAW BY A PERSON WHO IS NOT A TRAINED AND LICENSED ATTORNEY. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-60)

S.B. 600, AN ACT TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO COMPENSATE APPRAISERS IN COMPLIANCE WITH FEDERAL LAW AND TO ALLOW FEDERAL APPELLATE JUDGES TO PERFORM MARRIAGE CEREMONIES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-61)

S.B. 774, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF MARVIN AND THE CITY OF ASHEBORO. (Became law upon ratification, June 30, 2016 - S.L. 2016-62)

S.B. 852, AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE AND FROM THE CORPORATE LIMITS OF THE TOWN OF CLYDE. (Became law upon ratification, June 30, 2016 - S.L. 2016-63)

H.B. 1126, AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE. (Became law upon ratification, June 30, 2016 - S.L. 2016-64)

July 1, 2016

S.B. 50, AN ACT TO INCREASE THE AUTHORIZATION FOR WILSON COUNTY TO LEVY AN OCCUPANCY TAX. (Became law upon ratification, July 1, 2016 - S.L. 2016-65)

S.B. 132, AN ACT TO AMEND THE CHARTER OF THE TOWN OF COLUMBIA TO EXTEND THE TERM OF OFFICE FOR THE MAYOR AND CLARIFY THAT THE MEMBERS OF THE BOARD OF ALDERMEN SERVE FOUR-YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN OF HOPE MILLS TO TAKE IMMEDIATE POSSESSION OF REAL PROPERTY CONDEMNED BY THE TOWN FOR RECREATIONAL PURPOSES IN CONNECTION WITH THE HOPE MILLS LAKE AND HOPE MILLS LAKE DAM PROJECT. (Became law upon ratification, July 1, 2016 - S.L. 2016-66)

S.B. 739, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF ROLESVILLE. (Became law upon ratification, July 1, 2016 - S.L. 2016-67)

S.B. 848, AN ACT AMENDING THE CHARTER OF THE TOWN OF CARY TO DELEGATE TO THE TOWN MANAGER THE AUTHORITY TO GRANT UTILITY EASEMENTS, AGREEMENTS, AND OTHER SIMILAR INTERESTS IN REAL PROPERTY OVER TOWN-OWNED PROPERTY AND AUTHORIZING THE TOWN TO SELL, EXCHANGE, OR OTHERWISE TRANSFER REAL PROPERTY SUBJECT TO RESTRICTIONS. (Became law upon ratification, July 1, 2016 - S.L. 2016-68)

S.B. 890, AN ACT TO ALLOW THE TOWN OF MARIETTA TO HOLD MUNICIPAL ELECTIONS EVERY FOUR YEARS. (Became law upon ratification, July 1, 2016 - S.L. 2016-69)

S.B. 898, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATIONS OF THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE MAJORITY LEADER OF THE SENATE, AND TO MAKE TECHNICAL CHANGES. (Became law upon ratification, July 1, 2016 - S.L. 2016-70)

H.B. 842, AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF MEMBERS OF THE ARMED FORCES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-71)

H.B. 817, AN ACT ENACTING THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT OF 2016. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-72)

H.B. 678, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE LAWS REGARDING THE INNOCENCE COMMISSION. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-73)

July 1, 2016

H.B. 594, AN ACT TO MODIFY THE REQUIREMENTS FOR MOTOR VEHICLE DEALER RECORDS RETENTION, AVAILABILITY FOR INSPECTION BY THE DIVISION OF MOTOR VEHICLES, AND FORMAT. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-74)

H.B. 523, AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO USE A CERTAIN DESIGNATION ON DRIVERS LICENSES WHEN LISTING THE RACE OF AN APPLICANT WHO IS AMERICAN INDIAN. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-75)

H.B. 533, AN ACT TO MODIFY WHEN THE LIEN FOR DEFERRED TAXES ON LAND ELIGIBLE FOR PRESENT-USE VALUE CLASSIFICATION IS EXTINGUISHED IN ORDER TO PROMOTE SALES FOR LAND CONSERVATION USES AND TO ALLOW A TAXPAYER TO CONTEST A DENIAL OF A CLAIM FOR REFUND WHICH THE DEPARTMENT OF REVENUE DETERMINES TO BE OUTSIDE THE STATUTE OF LIMITATIONS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-76)

H.B. 253, AN ACT TO AMEND PROVISIONS OF THE JUSTICE REINVESTMENT ACT. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-77)

H.B. 287, AN ACT TO ENHANCE AND IMPROVE CONSUMER PROTECTIONS AND TRANSPARENCY RELATED TO MOTOR VEHICLE MAINTENANCE AND REPAIRS, LONG-TERM CARE INSURANCE, AND CONSENT TO RATE; TO STUDY VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION EFFORTS; TO INCREASE THE CRIMINAL PENALTY FOR LARGE-SCALE FRAUD COMMITTED BY AN INSURANCE FIDUCIARY AND STRENGTHEN COMMERCIAL AUTO RATE EVASION REFORM; TO MAKE VARIOUS TECHNICAL AND POLICY CHANGES TO NORTH CAROLINA'S CAPTIVE INSURANCE LAW PROVISIONS; TO ENABLE THE ESTABLISHMENT OF A STATE-BASED PRIVATE FLOOD INSURANCE MARKET; TO ENABLE INSURERS TO RECEIVE RESTITUTION FROM CONVICTED DEFENDANTS; TO EXEMPT CERTAIN ACCOUNTABLE CARE ORGANIZATIONS FROM DEPARTMENT REGULATION; AND TO MAKE OTHER AMENDMENTS TO INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-78)

H.B. 242, AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-79)

H.B. 1033, AN ACT TO WAIVE THE FEE FOR A SPECIAL IDENTIFICATION CARD ISSUED TO A PERSON WITH A DEVELOPMENTAL DISABILITY. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-80)

July 1, 2016

H.B. 289, AN ACT TO ENACT THE NORTH CAROLINA MONEY TRANSMITTERS ACT AS REQUESTED BY THE OFFICE OF THE NORTH CAROLINA COMMISSIONER OF BANKS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-81)

H.B. 960, AN ACT TO MODIFY THE ABILITY OF A MEMBER OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDIT FOR EMPLOYMENT IN A CHARTER SCHOOL OPERATED BY A PRIVATE NONPROFIT CORPORATION AND TO REQUIRE COST ESTIMATES FOR STATUTORY CHANGES TO SERVICE PURCHASE PROVISIONS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-82)

H.B. 567, AN ACT TO MODIFY THE MINIMUM ACREAGE REQUIREMENTS IN CERTAIN TRACTS OF LAND USED AS CEMETERIES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-83)

H.B. 1035, AN ACT AUTHORIZING THE LOCAL GOVERNMENT COMMISSION TO REQUIRE BASIC FINANCIAL TRAINING FOR FINANCE OFFICERS OF CERTAIN LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-84)

S.B. 792, AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-85)

S.B. 19, AN ACT TO ADJUST THE UNIFORM FEE FOR RECORDING DEEDS OF TRUST WITH THE REGISTER OF DEEDS IN ORDER TO COMPLY WITH CLOSING DISCLOSURE REQUIREMENTS ESTABLISHED BY THE FEDERAL TRUTH IN LENDING AND REAL ESTATE SETTLEMENT PROCEDURES ACTS. (Became law upon approval of the Governor, June 30, 2016 - S.L. 2016-86)

Pursuant to Senator Berger's motion to adjourn having prevailed, the Senate stands adjourned *sine die*.

DANIEL J. FOREST
President of the Senate

SARAH LANG
Principal Clerk

July 1, 2016

ADDENDUM
SENATE JOURNAL
2015 SESSION
SECOND SESSION
2016



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 unless it is ordered by two-thirds of the membership of the Senate present and voting, there is a rule suspension motion which prevails by at least a three-fifths vote of the membership of the Senate present and voting, or the Chair determines that there is no objection, which constitutes unanimous consent.

When a bill passes its second reading and remains on the calendar for further consideration, the measure is placed on the calendar for the next legislative day in its regular order of business unless indicated otherwise.

Upon a motion offered, the phrase "without objection" 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.

The five digit numbers appearing throughout the Senate Journal indicate the coded draft number of either the proposed committee substitute or proposed conference committee substitute approved by a committee and submitted to the Senate for consideration.

The Presiding Officer rules whether or not individual bills require a call of the roll. The ruling is made pursuant to Rule 25 and the following citation from Article II, Section 23, of the Constitution of North Carolina, which reads:

Sec. 23 - Revenue bills. No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State or to allow the counties, cities, or towns to do so, unless the bill for the

purpose shall have been read three several times in each house of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

The numerical figures which appear in parentheses throughout the Senate Journal represent the affirmative and negative votes cast and recorded electronically, pursuant to Rule 25. Original vote tabulation sheets are deposited in the Division of Archives and History of the Department of Cultural Resources. Voting data may also be obtained at the Legislative Library and on the N.C. General Assembly's website, www.ncleg.net.

Through their electronic web device, senators are required to use the "Chamber Dashboard" to examine bill drafts eligible for filing, co-sponsor legislation, and view bills, resolutions and amendments for consideration on the chamber floor. A version of the Chamber Dashboard is available on the internet for public use through the N.C. General Assembly's website.

Upon motion, the Senate often stood in recess or adjourned subject to the standard stipulations set forth in Senate Rule 24.1. This rule allows for the introduction of bills and resolutions, the referral and re-referral of bills and resolutions, the reading of Senatorial Statements, and the reading of messages from the Governor while the Senate is in recess or post adjournment.

After the Senate adjourned *sine die*, Senator Apodaca of Senate District 48 resigned from office on July 15, 2016. Charles M. Edwards was appointed on August 19, 2016, to fill Senator Apodaca's unexpired term. He received the Oath of Office on September 13, 2016.

Sarah Lang
Principal Clerk

SENATE BILL VETOED BY THE GOVERNOR

S.B. 71, A BILL TO BE ENTITLED AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) EXTEND THE PERIOD FOR PUBLIC COMMENT AND REVIEW OF PROPOSED RISK CLASSIFICATIONS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; AND (3) MODIFY APPOINTMENTS TO THE COAL ASH MANAGEMENT COMMISSION, THE MINING COMMISSION, AND THE OIL AND GAS COMMISSION, IN ACCORD WITH THE HOLDING OF *MCCRORY V. BERGER*, was vetoed by the Governor and returned to the Senate on June 6.

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 2015 General Assembly adjourned *sine die* on July 1, 2016.

H.B. 1044, AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-87)

H.B. 972, AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO

DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-88)

H.B. 984, AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-89)

H.B. 959, AN ACT TO MAKE VARIOUS CHANGES TO THE TRANSPORTATION LAWS OF THE STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-90)

H.B. 136, AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES TO AUTHORIZE A RETIRED BUSINESS COURT JUDGE TO BE RECALLED TO SERVE AS A SENIOR BUSINESS COURT JUDGE. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-91)

S.B. 803, AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-92)

H.B. 992, AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION. (Became law upon approval of the Governor, July 11, 2016 - S.L. 2016-93)

H.B. 1030, AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE. (Became law upon approval of the Governor, July 14, 2016 - S.L. 2016-94)

H.B. 630, AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION. (Became law upon approval of the Governor, July 14, 2016 - S.L. 2016-95)

S.B. 814, AN ACT TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER MAY ALSO BE REFERRED TO AS SECRETARY OF THE DEPARTMENT OF INFORMATION TECHNOLOGY. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-96)

S.B. 872, AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-97)

H.B. 151, AN ACT TO AMEND THE VACATION RENTAL ACT TO CLARIFY THE ROLE OF REAL ESTATE BROKERS IN TRANSACTIONS BETWEEN LANDLORDS AND TENANTS, TO PROTECT MEMBERS OF THE ARMED FORCES BY ALLOWING TERMINATION OF RENTAL AGREEMENTS UPON TRANSFER OR REDEPLOYMENT, TO CLARIFY THE PROCEDURE FOR AWARDED AND COLLECTING CERTAIN COURT FEES IN EVICTION PROCEEDINGS, AND TO ALLOW AMENDMENTS TO A LEASE OF REAL PROPERTY TO ORANGE COUNTY TO FACILITATE JAIL CONSTRUCTION. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-98)

H.B. 169, AN ACT TO RESTORE THE STATE TORT CLAIM FOR WRONGFUL DISCHARGE. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-99)

S.B. 124, AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION; TO CLARIFY HOW THE INDUSTRIAL COMMISSION REFERS MATTERS OF INDIRECT

CRIMINAL CONTEMPT TO THE DISTRICT COURT; TO REMOVE CERTAIN PROPERTY FROM THE STATE NATURE AND HISTORIC PRESERVE; AND TO AUTHORIZE THE DELETION OF VARIOUS PROPERTIES FROM THE STATE PARKS SYSTEM. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-100)

H.B. 550, AN ACT TO AUTHORIZE OWNERSHIP OF SERVICE ANIMALS OWNED BY THE STATE OR A UNIT OF LOCAL GOVERNMENT TO BE TRANSFERRED TO THE SERVICE ANIMAL'S HANDLER OR OTHER SPECIFIED PERSONS UPON THE SERVICE ANIMAL'S RETIREMENT FROM PUBLIC SERVICE. (Became law upon approval of the Governor, July 18, 2016 - S.L. 2016-101)

H.B. 1021, AN ACT TO AMEND THE LAW REGARDING SEX OFFENDERS ON CERTAIN PREMISES TO ADDRESS THE RULING IN DOE V. COOPER. (Became law upon approval of the Governor, July 21, 2016 - S.L. 2016-102)

S.B. 481, AN ACT TO ENACT THE NORTH CAROLINA PROVIDING ACCESS TO CAPITAL FOR ENTREPRENEURS AND SMALL BUSINESS ACT, TO PROVIDE PUBLIC DISCLOSURE OF WRITTEN DETERMINATIONS MADE BY THE DEPARTMENT OF REVENUE, AND TO PROHIBIT CITIES FROM CHARGING FEES FOR UTILITY USE OF RIGHT-OF-WAY. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-103)

S.B. 865, AN ACT TO MAKE ADMINISTRATIVE CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES; TO INCREASE THE NUMBER OF LOCAL GOVERNMENTS ABLE TO PARTICIPATE IN THE STATE HEALTH PLAN; AND TO MAKE CHANGES TO STATE HEALTH PLAN PREMIUMS PAID BY LOCAL GOVERNMENT EMPLOYEES. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-104)

H.B. 742, AN ACT TO CLARIFY THE REQUIREMENTS FOR INITIAL LICENSURE AS A PROFESSIONAL ENGINEER AND TO ALLOW NORTH CAROLINA PUBLIC SCHOOLS TO REDUCE COSTS BY ALLOWING THE EMPLOYMENT OF LICENSED SCHOOL MAINTENANCE PLUMBERS. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-105)

S.B. 815, AN ACT TO AUTHORIZE LONGLEAF SCHOOL OF THE ARTS TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-106)

S.B. 508, AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BAIL BOND, COLLECTION AGENCY, AND CRIMINAL MEDIATION LAWS. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-107)

S.B. 886, AN ACT TO HONOR CAPTAIN BRADLEY LONG AND ALL FUTURE FIREFIGHTERS AND RESCUE SQUAD WORKERS KILLED IN THE LINE OF DUTY BY AMENDING THE NC FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND TO PROVIDE A SURVIVORSHIP BENEFIT FOR MEMBERS KILLED IN THE LINE OF DUTY; TO CONSOLIDATE PUBLIC RECORDS LAWS RELATING TO RETIREMENT; AND TO MAKE OTHER RETIREMENT AND ADMINISTRATIVE CHANGES. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-108)

S.B. 667, AN ACT TO CREATE CONSISTENCY IN THE TIME PROVIDED TO COMPLETE ELECTION CANVASSES; TO REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL ACTS AGAINST FACIAL CHALLENGES; TO PROVIDE FOR BALLOT ORDERING OF CANDIDATES FOR JUDGE OF THE COURT OF APPEALS; TO REQUIRE EXPLANATORY CAPTIONS FOR CONSTITUTIONAL AMENDMENTS ON BALLOTS; TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY MUNICIPAL ELECTIONS IN EVEN-NUMBERED YEARS; TO UPDATE THE FILING PERIOD FOR ELECTIONS IN THE CITY OF REIDSVILLE; AND TO PROVIDE FOR PARTICIPATION IN THE CENSUS REDISTRICTING DATA PROGRAM AND FOR RETURN OF ELECTION DATA. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-109)

H.B. 1080, AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-110)

H.B. 483, AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE. (Became law upon approval of the Governor, July 22, 2016 - S.L. 2016-111)

S.B. 105, AN ACT TO REQUIRE THE SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS. (Became law upon approval of the Governor, July 26, 2016 - S.L. 2016-112)

S.B. 770, AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY. (Became law upon approval of the Governor, July 26, 2016 - S.L. 2016-113)

S.B. 482, AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE LIMITED LIABILITY COMPANY ACT AND TO FURTHER DEFINE AN EMPLOYER'S AND EMPLOYEE'S RIGHTS TO INVENTIONS INVENTED BY THE EMPLOYEE. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-114)

H.B. 424, AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-115)

H.B. 561, AN ACT TO MODIFY THE AUTHORITY OF SCHOOL SYSTEMS WITH REGARD TO LEGAL PROCEEDINGS AND INVESTIGATIONS AND TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE PROCESS OF RESOLVING EDUCATION FUNDING DISPUTES BETWEEN LOCAL BOARDS OF EDUCATION AND BOARDS OF COUNTY COMMISSIONERS. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-116)

H.B. 728, AN ACT TO AMEND LAWS AND FEES PERTAINING TO VARIOUS OCCUPATIONAL LICENSING BOARDS. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-117)

S.B. 673, AN ACT TO PROVIDE RECOVERY OF CAPITAL-RELATED COSTS INCURRED BY A NATURAL GAS UTILITY FOR CONSTRUCTING NATURAL GAS INFRASTRUCTURE FOR A LARGE MANUFACTURING EMPLOYER. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-118)

S.B. 747, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO ACTIVELY MANAGE THE STATE'S PORTFOLIO OF REAL PROPERTY; TO REQUIRE MEASUREMENT OF THE CURRENT UTILIZATION OF STATE-OWNED FACILITIES; TO ENSURE THE ACCURACY OF THE REAL PROPERTY INVENTORIES MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION; AND TO ENSURE THAT THE USE OF STATE-OWNED SPACE IS MAXIMIZED BEFORE LEASES ARE ENTERED INTO OR RENEWED, AS RECOMMENDED BY THE PROGRAM EVALUATION DIVISION OF THE GENERAL ASSEMBLY. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-119)

S.B. 791, AN ACT TO INCLUDE PER TRANSACTION RATES PAID TO LICENSE PLATE AGENCY COMMISSION CONTRACTORS WITHIN THE QUADRENNIAL ADJUSTMENT MADE BY THE DIVISION OF MOTOR VEHICLES, TO SPECIFY THAT PROCESSING AN INSPECTION STOP IS A SEPARATE TRANSACTION FOR WHICH COMPENSATION SHALL BE PAID, AND TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO STUDY THE PROCEDURE FOR PROCESSING INSPECTION STOPS. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-120)

S.B. 838, AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-121)

S.B. 326, AN ACT REVISING THE CONDITIONS UNDER WHICH COUNTIES AND CITIES MAY INSPECT BUILDINGS OR STRUCTURES. (Became law upon approval of the Governor, July 28, 2016 - S.L. 2016-122)

H.B. 805, AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS; TO PROVIDE FOR CERTAIN COUNTY SERVICES ON THE TRUST LANDS OF THE EASTERN BAND OF THE CHEROKEE INDIANS; AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016. (Became law without approval of the Governor, August 1, 2016 - S.L. 2016-123)

APPENDIX
SENATE JOURNAL
2015 SESSION
SECOND SESSION
2016



**NORTH CAROLINA GENERAL ASSEMBLY
SENATE DISTRICTS**

A complete listing of the North Carolina Senatorial Districts can be found in the Appendix of the Senate Journal for the 2015 General Assembly, First Session 2015.

**SENATE RESOLUTIONS
2016 SESSION**

Adopted April 27, 2016 (see pg. 22)

S.R. 746, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE BOARD OF AGRICULTURE.

Whereas, the provisions of G.S. 106-2 require that appointees to the Board of Agriculture be confirmed by the North Carolina Senate; and

Whereas, the Governor has submitted to the presiding officer of the Senate the names of his appointees; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The appointments of Anne Faircloth of Sampson County, general farming representative; Faylene Whitaker of Randolph County, fruit and vegetable representative; and James Lambeth of Richmond County, poultry representative, to the Board of Agriculture for terms to expire May 1, 2021, are confirmed.

SECTION 2. This resolution is effective upon adoption.

Adopted May 11, 2016 (see pg. 51)

S.R. 824, A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.

Whereas, North Carolina is proud to be home to generations of brave men and women who have valiantly defended our nation and upheld its principles of democracy and freedom; and

Whereas, these veterans have placed our nation's security before their own lives, creating a debt that we can never fully repay; and

Whereas, veterans should be remembered and honored for their service and personal sacrifice for the greater good of our nation; some of whom made the ultimate sacrifice in protecting our country and the freedoms enjoyed by our citizens and all Americans; and

Whereas, North Carolina has a rich military history and is home to six major Department of Defense (DOD)/Department of Homeland Security (DHS) installations: Fort Bragg; Camp Lejeune Marine Corps Base; Cherry Point Marine Corps Air Station and Naval Air Depot; New River Marine Corps Air Station; Seymour Johnson Air Force Base; and U.S. Coast Guard Base, Elizabeth City; as well as the Sunny Point Military Ocean Terminal, the North Carolina National Guard, Reserve Components, and other DOD/DHS activities and organizations; and

Whereas, North Carolina's veteran population has reached nearly 775,000, including over 690,900 males and more than 84,000 females, reflecting the highest number of veterans living in the State during the past five years; and

Whereas, of veterans living in North Carolina, 25,601 served during World War II; 54,712 served during the Korean War; 248,793 served during the Vietnam Era; and more than 290,640 have served during the Gulf Wars; and

Whereas, North Carolina ranks sixth in the nation for military retirees numbering over 92,552 and ranks second for veterans living in rural areas numbering more than 137,350; and

Whereas, North Carolina also has over 116,000 active-duty military personnel and more than 22,000 reserve members residing in the State, making North Carolina one of the largest active-duty military populations in our entire country; and

Whereas, the people of North Carolina are grateful to all of our heroic veterans for their selfless service to our State and our nation; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The Senate extends its profound gratitude and appreciation to all the men and women who served in the United States Armed Forces for their selfless service.

SECTION 2. The Senate wishes to honor the memory of those who have lost their lives in defense of the safety and liberty of the people of the United States of America.

SECTION 3. This resolution is effective upon adoption.

Adopted June 16, 2016 (see pg. 212)

S.R. 896, A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE.

Whereas, the provisions of G.S. 106-2 require that appointees to the Board of Agriculture be confirmed by the North Carolina Senate; and

Whereas, the Governor has submitted to the presiding officer of the Senate the name of his appointee; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The appointment of Ben Shelton of Iredell County, dairy and cattle representative, to the Board of Agriculture for a term to expire May 1, 2021, is confirmed.

SECTION 2. This resolution is effective upon adoption.

Adopted June 29, 2016 (see pg. 331)

S.R. 899, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF GREGORY GRANTHAM TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Whereas, the provisions of G.S. 135-6 require that appointees to the Board of Trustees of the Teachers' and State Employees' Retirement System be confirmed by the Senate of North Carolina; and

Whereas, the Governor has submitted to the presiding officer of the Senate the name of his appointee; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The appointment of Gregory Grantham to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire June 30, 2017, is confirmed.

SECTION 2. This resolution is effective upon adoption.

Adopted June 29, 2016 (see pg. 332)

S.R. 900, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF VERONICA WRIGHT TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Whereas, the provisions of G.S. 135-6 require that appointees to the Board of Trustees of the Teachers' and State Employees' Retirement System be confirmed by the Senate of North Carolina; and

Whereas, the Governor has submitted to the presiding officer of the Senate the name of his appointee; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The appointment of Veronica Wright to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire March 31, 2017, is confirmed.

SECTION 2. This resolution is effective upon adoption.

Adopted June 29, 2016 (see pg. 332)

S.R. 901, A SENATE RESOLUTION PROVIDING FOR THE CONFIRMATION OF TERRY MCCANN TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Whereas, the provisions of G.S. 135-6 require that appointees to the Board of Trustees of the Teachers' and State Employees' Retirement System be confirmed by the Senate of North Carolina; and

Whereas, the Governor has submitted to the presiding officer of the Senate the name of his appointee; Now, therefore,

Be it resolved by the Senate:

SECTION 1. The appointment of Terry McCann to the Board of Trustees of the North Carolina Teachers' and State Employees' Retirement System for a term to expire March 31, 2017, is confirmed.

SECTION 2. This resolution is effective upon adoption.

SENATORIAL STATEMENTS

The following Senatorial Statements were submitted during the 2016 Session. They are listed in chronological order by date of submission:

RECOGNIZING ALL TEACHERS ON NATIONAL TEACHER DAY

Submitted by Senator Bryant, Senator Smith-Ingram, and Senator Van Duyn,
May 3, 2016 (see pg. 36)

WHEREAS, teachers mold future citizens through guidance and education, while serving as listeners, explorers, role models, motivators, and mentors; and

WHEREAS, teachers encounter students of widely differing backgrounds and work diligently to help them learn and impact their lives and their families in ways that often extend beyond the classroom; and

WHEREAS, people in the United States began celebrating National Teacher Day in 1953, when Eleanor Roosevelt persuaded Congress to set aside a day to recognize educators; and

WHEREAS, the origins of the idea for a national day to honor teachers are unclear; some references cite the advocacy of a Wisconsin teacher and other references credit the efforts of a teacher in Arkansas for being the first to advocate establishing a teacher appreciation day; and

WHEREAS, Congress declared March 7, 1980, as National Teacher Appreciation Day; and

WHEREAS, the National Education Association (NEA), and its affiliates, observed National Teacher Appreciation Day until 1985, when the National Parent Teacher Association designated the first full week of May as Teacher Appreciation Week and then voted the following year to make Tuesday of that week National Teacher Day; and

WHEREAS, during the observance of National Teacher Day, it is fitting to reflect upon the lifelong lessons we learned from our teachers and to recognize the members of the General Assembly who are current or former teachers; and

WHEREAS, our country's future depends upon providing quality education to all students, and teachers are needed to provide that education;

NOW, THEREFORE, teachers deserve our respect, recognition, and appreciation particularly during the observance of National Teacher Day on May 3, 2016, and throughout the year.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the third day of May, 2016.

S/Senator Angela Bryant
S/Senator Erica Smith-Ingram
S/Senator Terry Van Duyn

S/Sarah Lang
Senate Principal Clerk

RECOGNIZING ANNUAL FORESTRY DAY AT THE LEGISLATURE

Submitted by Senator McInnis, May 3, 2016 (see pg. 36)

WHEREAS, North Carolina is known as the birthplace of American forestry due to some early forestry pioneers and their practices; and

WHEREAS, in 1892, Gifford Pinchot began the first systematic forestry work in the United States at Biltmore, the estate of George W. Vanderbilt in North Carolina; and

WHEREAS, in 1898, Carl Schenck established the Biltmore Forest School in Transylvania County, the first school of its kind in the United States; and

WHEREAS, the North Carolina Forestry Association (NCFA), established in 1911, is the State's oldest forest conservation organization and is comprised of 4,000 members; and

WHEREAS, the NCFA promotes responsible use and management of the State's forests; and

WHEREAS, North Carolina has 18.6 million acres of forestland covering 60% of the State, of which 85% is privately owned; and

WHEREAS, the forest products industry is the State's largest manufacturing industry, employing over 70,000 North Carolinians with an annual payroll of more than \$3 billion; and

WHEREAS, according to the most recent data collected by the North Carolina Cooperative Extension, the forest sector combined with the forest products industry had a total economic contribution to the State's economy of \$24.7 billion in output and supported more than 127,800 jobs with a payroll of \$6.29 billion; and

WHEREAS, the forest products industry provides jobs in all of the State's 100 counties, providing a significant impact to the State's rural economy; and

WHEREAS, in 2013, North Carolina's exported forest products were valued at \$13.7 billion; and

WHEREAS, the practice of forestry, as promoted by Gifford Pinchot, Carl Schenck, and those who followed, protects, preserves, and promotes not only forests but water quality, recreation, wildlife, fertile soils, and aesthetics; and

WHEREAS, the values inherent in sound forest practices are realized not only in economic terms but in the preservation of the priceless natural resources that are both our common heritage and our legacy;

NOW, THEREFORE, it is important to recognize the significance of our forests to the State's economy and to our way of life and pay tribute to the early pioneers of forestry.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the third day of May, 2016.

S/Senator Tom McInnis

S/Sarah Lang
Senate Principal Clerk

RECOGNIZING THE CONTRIBUTION OF ARSON DOGS AND THEIR HANDLERS AS PART OF NATIONAL ARSON AWARENESS WEEK

Submitted by Senator Wade, May 4, 2016 (see pg. 39)

WHEREAS, the first week of May is National Arson Awareness Week; and

WHEREAS, each year hundreds of lives are lost and millions of dollars in property damage occurs as a result of arson. As such, it is vitally important that law enforcement officials have every tool possible to combat this costly and deadly crime; and

WHEREAS, one of these critically important tools is the Arson Dog Program established by State Farm Insurance in 1993, which has trained more than 360 Accelerant Detection Canine teams for placement in 44 states, as well as the District of Columbia and Canada. These K-9s and their handlers are required to complete an intensive 200 hours of training to become certified and must recertify annually; and

WHEREAS, the K-9s selected for participation are chosen through a cooperative program with guide dog and disability assistance canine organizations, as well as through local animal shelters and humane societies. The K-9s that are chosen are all Labrador Retrievers as they are very active and have a "love to work" attitude, a superior ability to discriminate scents at a fire scene, and a good disposition and outgoing personality; and

WHEREAS, there are two State Farm Arson Dog teams in North Carolina:

- Brian Phillips and K9 Friday, who have been a certified Accelerant Detection Canine team since 2012. Brian is the Director of Public Safety with the Moore County Department of Public Safety.
- Danny Hill and K-9 Darby, who have been a certified Accelerant Detection Canine team since 2015. Brian is the Fire Marshall of the City of New Bern;

NOW, THEREFORE, the first week of May should be recognized as National Arson Awareness Week, and I ask you to please join me in thanking Brian Phillips, Danny Hill, Friday, and Darby for their service.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the fourth day of May, 2016.

S/Senator Trudy Wade

S/Sarah Lang
Senate Principal Clerk

RECOGNIZING LARRY B. PERKINS

Submitted by Senator Barringer, May 25, 2016 (see pg. 103)

WHEREAS, despite enduring a difficult childhood, including time spent in foster care, Larry B. Perkins has had a successful career in security and personnel management as a private investigator, regional security manager, security consultant, university faculty member, and crowd management professional; and

WHEREAS, Larry B. Perkins is certified both as a facilities executive and protection professional and currently serves as the Vice President and Assistant General Manager of the PNC Arena in Raleigh, North Carolina; and

WHEREAS, Larry B. Perkins has written several books, including "Buck Seventy-Two, A Destiny of Will," "Life Choices, The Path I Chose," and "Crowd Safety and Survival – Practical Event and Public Gathering Safety," and has provided expert advice on security matters to nationally recognized magazines and on television programs, including ESPN and NBC; and

WHEREAS, Larry B. Perkins has served on a number of boards, including the Northeastern Americans with Disabilities Act Consortium, which he founded and served as chair; the International Association of Venue Managers, of which he served as president; and the North Carolina State Emergency Response Commission, to which he was appointed by Governor Beverly Perdue and reappointed by Governor Pat McCrory; and

WHEREAS, Larry B. Perkins continues to contribute to his community through his not-for-profit programs that provide support to foster, kinship, adopted, and abused children, and he has plans to use a recently purchased building in his childhood home of Enfield, North Carolina, as a business incubator;

NOW, THEREFORE, Larry B. Perkins deserves recognition for his achievements and for his community service.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the 25th day of May, 2016.

S/Senator Tamara Barringer

S/Sarah Lang
Senate Principal Clerk

RECOGNIZING THE 300TH ANNIVERSARY OF PORT BATH

Submitted by Senator Cook, May 26, 2016 (see pg. 114)

WHEREAS, economic growth supported by the Port Bath and its maritime commerce allowed Bath County, established in 1696, to grow and form numerous counties across the State including Pitt, Hyde, Craven, Martin, and Beaufort as well as seven counties currently located in Tennessee; and

WHEREAS, in 1715, North Carolina Governor Charles Eden petitioned the Lords Proprietors to establish Port Bath and, after receiving approval, proclaimed Port Bath, the first official port of entry, on August 1, 1716, making it possible for ships and vessels to import and export goods to and from the colony; and

WHEREAS, Port Bath's chief imports included cloth and clothing, hardware, farm implements, pewter, and brass from Great Britain; sugar, rum, molasses, sea salt, ginger, coffee, and citrus fruits from the West Indies; and chocolate, pepper, and fish from other coastal ports, while the chief exports included shingles, barrel staves, lumber, tobacco, and naval stores, which included pitch, tar, and turpentine; and

WHEREAS, due to limited coin and paper currency in circulation, Port Bath's imports were often bartered with exports of lumber and wood products as well as pork, beef, seafood, beans, and corn, many of the products important to eastern North Carolina today; and

WHEREAS, Port Bath was operational between 1716 and the 1790s and, due to the colony's sizeable coastline, served as one of five regional British-American customs collections districts along North Carolina's coast; and

WHEREAS, the Town of Bath will hold a celebration in May to recognize the 300th anniversary of Port Bath;

NOW, THEREFORE, Port Bath deserves recognition on its 300th anniversary for the role it played in the development of maritime commerce and the role it played in North Carolina history.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the 26th day of May, 2016.

S/Senator Bill Cook

S/Sarah Lang
Senate Principal Clerk

**RECOGNIZING JACKSON COUNTY AS THE PREMIER TROUT
FISHING DESTINATION IN NORTH CAROLINA**

Submitted by Senator J. Davis, June 1, 2016 (see pg. 127)

WHEREAS, Jackson County is home to the nation's first fly fishing trail with 15 designated public spaces for fly fishing mapping, prime spots to catch brown, rainbow, and brook trout in the County's crystal clear streams; and

WHEREAS, Jackson County has the longest contiguous stretch of waters that have been designated as North Carolina Mountain Heritage Trout Waters; and

WHEREAS, the waters of Jackson County are excellent resources for trout fishing and other enjoyable aquatic pastimes with over 4,600 miles of beautiful water and are annually stocked with 92,800 fish each year, the most of any county in North Carolina; and

WHEREAS, people from around the country travel to fish the Tuckasegee River in Jackson County, flowing some 40 miles from southeast to northwest, providing a superior habitat for invertebrate and other trout prey; and

WHEREAS, the all-season fishing available in the Tuckasegee River and on the Qualla Boundary provides a varied alternative from other fisheries in North Carolina, with winter fishing providing the opportunity for bigger catches during colder months; and

WHEREAS, the miles of streams in Jackson County support the area's only native species, the Eastern Brook trout, which has been preserved, protected, and restored on public lands by the Department of Natural and Cultural Resources, the United States Forest Service, and by conservation-minded groups like Trout Unlimited and Eastern Brook Trout Joint Venture; and

WHEREAS, Jackson County is also the home of the Eastern Band of Cherokee, encompassing the famous trophy trout waters of the Raven Fork River; and

WHEREAS, trout fishing opportunities have a \$174 million economic impact to Western North Carolina; and

WHEREAS, Jackson County is blessed with significant aquatic waters for fishing, boating, and outdoor adventure, which encourages second home destinations, retirees, and outdoor enthusiasts to the lovely State of North Carolina;

NOW, THEREFORE, Jackson County deserves recognition as the Premier Trout Fishing Destination in the State of North Carolina.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the first day of June, 2016.

S/Senator J. Davis

S/Sarah Lang
Senate Principal Clerk

**CONGRATULATING APPALACHIAN STATE UNIVERSITY'S
FOOTBALL TEAM ON ITS OUTSTANDING 2015 SEASON**

Submitted by Senator Ballard, June 14, 2016 (see pg. 188)

WHEREAS, in 2014, Appalachian State University (ASU) moved from the NCAA Division I Football Championship Subdivision (FCS), where it won three consecutive national titles and 18 conference championships, to the NCAA Division I Football Bowl Subdivision (FBS) as a member of the Sun Belt Conference; and

WHEREAS, ASU finished the 2015 season with an 11-2 record, the best overall record of any North Carolina FBS team; and

WHEREAS, ASU became the first team to win 11 games in its first season as a bowl-eligible member of FBS and the first team in Sun Belt Conference history to win 11 games in a season; and

WHEREAS, ASU became the first team to win a bowl game in its first season as a bowl-eligible FBS member, defeating Ohio University 31-29 in the Raycom Media Camellia Bowl on December 19, 2015; and

WHEREAS, only eight of 128 FBS teams had more overall wins than Appalachian State University, which finished 33rd overall in the final 2015 Associated Press poll; and

WHEREAS, ASU football represents a commitment to athletic and academic excellence, producing 13 all-Sun Belt Conference honorees, including Sun Belt Defensive Student-Athlete of the Year Ronald Blair, a fifth round 2016 NFL Draft pick by the San Francisco 49ers, and senior linebacker Cody McKinney who earned the Sun Belt Conference's highest individual academic honor for a male student-athlete, the Sun Belt Male Postgraduate Scholar-Athlete of the Year;

NOW, THEREFORE, the student-athletes and coaches of Appalachian State University's football team should be congratulated on an outstanding 2015 season.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the fourteenth day of June, 2016.

S/Senator Deanna Ballard

S/Sarah Lang
Senate Principal Clerk

**HONORING AND OBSERVING FATHERS IN THE OBSERVANCE OF
THE NATIONAL HOLIDAY, FATHER'S DAY**

Submitted by Senator Waddell, June 16, 2016 (see pg. 206)

WHEREAS, the origin of Father's Day can be traced to the efforts of Sonora Smart Dodd in recognition of her father, William Smart, who raised his six children as a single father upon the death of his wife; and

WHEREAS, Father's Day became a state holiday in Spokane, Washington, on July 19, 1910, to honor and celebrate fatherhood. President Richard Nixon signed the national holiday into law in 1972; and

WHEREAS, father-child contact over the first 10 years of a child's life is associated with better socioemotional and academic functioning. Programs, such as the National Fatherhood Initiative, seek to improve the lives of children by promoting involvement of fathers in their children's lives and end father absence; and

WHEREAS, it is necessary to honor fathers who made and will continue to create a positive impact on their children's lives. It is vital to raise awareness about the importance of paternal bonds in the lives of children and its good impact on the overall community;

NOW, THEREFORE, loving fathers who serve as strong role models by guiding and leading their children and families deserve to be honored.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the sixteenth day of June, 2016.

S/Senator Joyce Waddell

S/Sarah Lang
Senate Principal Clerk

**CONGRATULATING CHARLES JONES ON BEING A RECIPIENT OF
THE FRENCH LEGION OF HONOR**

Submitted by Senator Wade, June 22, 2016 (see pg. 244)

WHEREAS, Charles Jones, 91, of Jamestown, North Carolina, served as a Private First Class in the 66th Infantry Division, 263rd Infantry Division of the United States Army during World War II; and

WHEREAS, over 70 years ago, Charles Jones and the members of his unit helped to liberate France from German forces by containing those forces in the northern part of France; and

WHEREAS, on June 15, 2016, Charles Jones and 11 other World War II veterans from North Carolina will receive France's Legion of Honor in a ceremony in Charlotte; and

WHEREAS, the National Order of the Legion of Honor is France's highest honor, which recognizes eminent services to the French Republic; and

WHEREAS, according to Denis Barbet, the Consul General of France in Atlanta, the people of France wishes "to give these men their due honor and to assure them that the French people have not forgotten their heroic service"; and

WHEREAS, the other Legion of Honor recipients are: Mervin E. Hogg, Wilmington; James R. Inman, Elizabethtown; Richard P. Woodson, Raleigh; Lewis E. Herron, Asheville; John W. Newman, Morrisville; Jerome M. Schwartz, Charlotte; James M. Bond, Edenton; Vincent Corsini, Burlington; Anthony J. Buccieri, Apex; Murray Lorber, Raleigh; and Julies N. Watlington, Yanceyville;

NOW, THEREFORE, Charles Jones deserves appreciation for his service during World War II and deserves to be congratulated on being a recipient of the French Legion of Honor.

IN WITNESS WHEREOF, the undersigned certifies that the foregoing statement was read in the Senate and placed upon the Journal on the twenty-second day of June, 2016.

S/Senator Trudy Wade

S/Sarah Lang
Senate Principal Clerk

**EXECUTIVE ORDERS
of the
GOVERNOR OF THE STATE
OF NORTH CAROLINA**

In compliance with G.S. 147-16.1, 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 in 2016. The full text of Executive Orders 85 through 123, issued by Governor Pat McCrory, can be found in the printed Session Laws of the 2015 General Assembly.

Executive Order	Title	Date of Issuance
85	Declaration of a State of Emergency by the Governor of the State of North Carolina	January 20, 2016
86	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials	January 20, 2016
87	Notice of Termination of Executive Order 85 and Amendment of Executive Order 86	January 29, 2016
88	Disaster Declaration for the Village of Bald Head Island, The Town of Carolina Shores, The Town of Navassa, The Town of Carolina Beach, The Town of North Topsail Beach, and The Town of Surf City	February 17, 2016
89	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services Throughout the State	February 25, 2016
90	Notice of Termination of Executive Order	February 29, 2016
91	Rescinding Executive Order	March 2, 2016
92	Reestablishing the Food Safety and Defense Task Force	March 15, 2016
93	To Protect Privacy and Equality	April 12, 2016
94	Disaster Declaration for Durham County	July 28, 2016
95	Extending the Statewide Impaired Driving Task Force	July 28, 2016

96	Amending the North Carolina Emergency Response Commission	July 28, 2016
97	Declaration of a State of Emergency by the Governor of the State of North Carolina	September 1, 2016
98	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services Throughout the State	September 1, 2016
99	Notice of Termination of Executive Orders 97 and 98	September 7, 2016
100	Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies Throughout the State	September 15, 2016
101	Temporary Suspension of Motor Vehicle Regulations to Ensure Adequate Fuel Supplies and Prohibit Excessive Pricing	September 16, 2016
102	Declaration of a State of Emergency by the Governor of the State of North Carolina	September 21, 2016
103	Declaration of a State of Emergency by the Governor of the State of North Carolina	September 22, 2016
104	Temporary Suspension of Motor Vehicle Regulations for Agricultural Response Operations in Northeastern North Carolina	September 22, 2016
105	Notice of Termination of Executive Orders 103 and 104	September 27, 2016
106	Notice of Termination of Executive Order 102	September 28, 2016
107	Declaration of a State of Emergency by the Governor of the State of North Carolina	October 3, 2016
108	Temporary Suspension of Motor Vehicle Regulations to Ensure Restoration of Utility Services and Transporting Essentials	October 3, 2016
109	Amendment to Executive Order 107	October 6, 2016
110	Regarding Hurricane Matthew's Impact on North Carolina Schools	October 18, 2016

111	Disaster Declaration for Bertie County	October 25, 2016
112	Extension of Executive Order 108	November 1, 2016
113	Declaration of a State of Emergency by the Governor of the State of North Carolina	November 2, 2016
114	Notice of Termination of Executive Order 113	November 10, 2016
115	Declaration of a State of Emergency by the Governor of the State of North Carolina	November 10, 2016
116	Amendment to Executive Order 115	November 22, 2016
117	Allowing for the Expedited Movement of Temporary Housing for Survivors of Hurricane Matthew	December 1, 2016
118	To Declare by Proclamation the True Boundary Line Between the State of North Carolina and the State of South Carolina from Polk to Brunswick County	December 5, 2016
119	Notice of Termination of Executive Orders 107, 108, 109, 112, 115, 116	December 9, 2016
120	Disaster Declaration by the Governor	December 9, 2016
121	Extending the North Carolina Commission on Volunteerism and Community Service	December 29, 2016
122	Extending the State Health Coordinating Council	December 29, 2016
123	Extending the Substance Abuse Task Force	December 29, 2016

SENATE COMMITTEE ASSIGNMENTS 2016

COMMITTEE	STANDING MEETING TIME/ROOM
AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES	
	Wed at 10:00 a.m./Thurs at 9:00 a.m. (544 LOB)
Co-Chairman	Senator Brock
Co-Chairman	Senator Cook
Co-Chairman	Senator Wade
Vice-Chairman	Senator Hartsell
Vice-Chairman	Senator B. Jackson
Members	Senators Alexander, Barefoot, Bingham, Bryant, Ford, Foushee, J. Jackson, McInnis, Rabin, Rabon, Randleman, Smith-Ingram, Tucker
APPROPRIATIONS/BASE BUDGET	
	Tues/Wed/Thurs at 8:30 a.m. (643 LOB)
Co-Chairman	Senator Brown
Co-Chairman	Senator Harrington
Co-Chairman	Senator B. Jackson
Members	Senators Apodaca, Barefoot, Blue, Brock, Bryant, D. Davis, J. Davis, Ford, Foushee, Hise, Pate, Rabon, Randleman, Robinson, Rucho, Tillman, Tucker, Wade
APPROPRIATIONS ON DEPARTMENT OF TRANSPORTATION	
	Tues/Wed/Thurs at 8:30 a.m. (1027 LB)
Co-Chairman	Senator Meredith
Co-Chairman	Senator Rabon
Vice-Chairman	Senator Daniel
Members	Senators Bingham, Blue, Ford, Gunn, Krawiec
APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION	
	Tues/Wed/Thurs at 8:30 a.m. (423 LOB)
Co-Chairman	Senator Apodaca
Co-Chairman	Senator Barefoot
Co-Chairman	Senator Tillman
Members	Senators Curtis, D. Davis, Hartsell, Lee, Rucho, Smith-Ingram, Waddell
APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY	
	Tues/Wed/Thurs at 8:30 a.m. (425 LOB)
Co-Chairman	Senator J. Davis
Co-Chairman	Senator Sanderson
Members	Senators Brock, Chaudhuri, Tarte, Woodard

APPROPRIATIONS ON HEALTH AND HUMAN SERVICES**Tues/Wed/Thurs at 8:30 a.m. (422 LOB)**

Co-Chairman Senator Hise
Co-Chairman Senator Pate
Co-Chairman Senator Tucker
Members Senators Barringer, McKissick, Robinson,
 Rucho, Van Duyn, Wells

APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY**Tues/Wed/Thurs at 8:30 a.m. (415 LOB)**

Co-Chairman Senator Bingham
Co-Chairman Senator Newton
Co-Chairman Senator Randleman
Vice-Chairman Senator Apodaca
Members Senators Ballard, Foushee, Hartsell, J. Jackson

APPROPRIATIONS ON NATURAL AND ECONOMIC RESOURCES**Tues/Wed/Thurs at 8:30 a.m. (421 LOB)**

Co-Chairman Senator Brock
Co-Chairman Senator Cook
Co-Chairman Senator Wade
Members Senators Alexander, Bryant, Clark, Lowe,
 McInnis, Rabin, Smith

COMMERCE**Tues/Thurs at 11:00 a.m. (1027 LB)**

Co-Chairman Senator Gunn
Co-Chairman Senator Meredith
Vice-Chairman Senator Barringer
Vice-Chairman Senator Brown
Members Senators Alexander, Apodaca, Barefoot, Blue,
 Brock, Bryant, Chaudhuri, Clark, Cook,
 Daniel, Ford, Foushee, Harrington, B.
 Jackson, Krawiec, Lee, McInnis, McKissick,
 Newton, Rabon, Rucho, Sanderson, Smith,
 Tillman, Waddell

EDUCATION/HIGHER EDUCATION**Wed at 11:00 a.m. (544 LOB)**

Co-Chairman Senator Barefoot
Co-Chairman Senator Tillman
Vice-Chairman Senator Curtis
Members Senators Apodaca, Ballard, Barringer, Bingham,
 Brown, Bryant, Clark, Cook, Daniel, D.
 Davis, Foushee, Hartsell, Krawiec,

EDUCATION/HIGHER EDUCATION (continued)

Members (continued) Senators Lowe, Newton, Pate, Rabin, Robinson,
Rucho, Smith, Tarte, Wade, Wells, Woodard

FINANCE

Tues/Wed at 1:00 p.m. (544 LOB)

Co-Chairman Senator Rabon
Co-Chairman Senator Rucho
Co-Chairman Senator Tillman
Vice-Chairman Senator Curtis
Vice-Chairman Senator Hartsell
Vice-Chairman Senator Rabin
Members Senators Alexander, Apodaca, Barefoot,
Barringer, Blue, Brock, Brown, Bryant,
Clark, Cook, Daniel, D. Davis, J. Davis,
Ford, Harrington, Hise, B. Jackson, J.
Jackson, McInnis, McKissick, Meredith,
Newton, Pate, Sanderson, Tarte, Van Duyn,
Waddell, Wade, Wells

HEALTH CARE

Tues at 11:00 a.m. (544 LOB)

Co-Chairman Senator Hise
Co-Chairman Senator Pate
Vice-Chairman Senator Tucker
Vice-Chairman Senator Tarte
Members Senators Ballard, Bingham, Curtis, D. Davis,
J. Davis, Hartsell, Lowe, McKissick, Rabin,
Randleman, Robinson, Rucho, Van Duyn,
Wade, Wells, Woodard

INFORMATION TECHNOLOGY

Wed at 12:00 p.m. (421 LOB)

Co-Chairman Senator Brock
Co-Chairman Senator Hise
Co-Chairman Senator Tarte
Members Senators Barringer, Ford, Foushee, J. Jackson,
Lee, Newton, Randleman, Sanderson, Wade,
Woodard

INSURANCE

Wed at 10:00 a.m. (1027 LB)

Co-Chairman Senator Apodaca
Co-Chairman Senator Meredith
Vice-Chairman Senator Sanderson

INSURANCE (continued)**Members**

Senators Blue, J. Davis, Ford, Gunn, Hise, Lee,
McKissick, Rucho, Waddell

JUDICIARY I

Tues/Thurs at 10:00 a.m. (1027 LB)

Co-Chairman

Senator Hartsell

Co-Chairman

Senator Newton

Members

Senators Apodaca, Blue, Brown, Bryant, Clark,
Foushee, Harrington, B. Jackson, Lee,
McKissick, Pate, Rabon, Robinson, Rucho,
Sanderson, Tillman, Wade

JUDICIARY II

Tues/Thurs at 10:00 a.m. (1124 LB)

Co-Chairman

Senator Barringer

Co-Chairman

Senator Daniel

Co-Chairman

Senator Randleman

Members

Senators Alexander, Barefoot, Bingham,
Chaudhuri, Cook, Curtis, J. Davis, J. Jackson,
Krawiec, Lowe, McInnis, Smith-Ingram, Van
Duyn, Wells, Woodard

PENSIONS & RETIREMENT AND AGING

Upon Call of Chairman

Co-Chairman

Senator Apodaca

Co-Chairman

Senator Gunn

Members

Senators Bryant, Chaudhuri, Curtis, Daniel, J.
Jackson, Pate, Rabin, Randleman, Smith,
Tarte, Waddell, Wells

PROGRAM EVALUATION

Tues at 12:00 p.m. (421 LOB)

Co-Chairman

Senator Bingham

Co-Chairman

Senator Hartsell

Members

Senators Barefoot, Brock, Clark, Cook, Gunn,
J. Jackson, Krawiec, Lee, Lowe, McInnis,
Randleman, Robinson, Tarte, Tillman, Wells,
Woodard

REDISTRICTING

Upon Call of Chairman

Chairman

Senator Rucho

Vice-Chairman

Senator Brock

Vice-Chairman

Senator Brown

REDISTRICTING (continued)

Members Senators Apodaca, Clark, Curtis, Harrington,
Hise, Lee, McKissick, Smith, Smith-Ingram

RULES AND OPERATIONS OF THE SENATE**Upon Call of Chairman**

Chairman Senator Apodaca
Vice-Chairman Senator Tucker
Members Senators Barefoot, Blue, Brock, Brown, Clark,
Ford, Harrington, Hise, B. Jackson, Lowe,
McKissick, Meredith, Newton, Rabon, Wade

STATE AND LOCAL GOVERNMENT**Tues at 12:00 p.m. (423 LOB)**

Co-Chairman Senator J. Davis
Co-Chairman Senator Sanderson
Vice-Chairman Senator Wade
Members Senators Alexander, Ballard, Barringer,
Chaudhuri, Curtis, Foushee, Hartsell, B.
Jackson, Rabin, Smith, Tarte, Van Duyn,
Waddell

TRANSPORTATION**Wed at 11:00 a.m. (1027 LB)**

Co-Chairman Senator Daniel
Co-Chairman Senator Rabon
Vice-Chairman Senator Harrington
Vice-Chairman Senator Meredith
Members Senators J. Davis, Ford, Gunn, Hise, Krawiec,
Robinson, Smith-Ingram, Tucker, Van Duyn

WAYS & MEANS**Upon Call of Chairman**

Chairman Senator Apodaca
Vice-Chairman Senator Brock
Member Senator Van Duyn

WORKFORCE AND ECONOMIC DEVELOPMENT**Wed at 12:00 p.m. (544 LOB)**

Co-Chairman Senator Curtis
Co-Chairman Senator Rabin
Members Senators Alexander, Ballard, Daniel, D. Davis,
Gunn, Krawiec, McInnis, Meredith,
Robinson, Sanderson, Smith, Smith-Ingram,
Tillman, Waddell, Wells, Woodard

SELECT COMMITTEES**SELECT COMMITTEE ON NOMINATIONS****Upon Call of Chairman**

Chairman	Senator Apodaca
Vice-Chairman	Senator Newton
Vice-Chairman	Senator Rucho
Members	Senators Barringer, Blue, Brown, Hise, Robinson, Tillman, Tucker, Wade, Woodard

SELECT COMMITTEE ON UNC BOARD OF GOVERNORS**Upon Call of Chairman**

Chairman	Senator Apodaca
Members	Senators Blue, Brown, Lee, Smith, Tillman

SENATE STAFF**OFFICE OF THE PRESIDENT**

Daniel J. Forest	Lieutenant Governor
Danielle Albert	Manager of External Relations and Assistant to the Chief of Staff
Guy Davidson	Project Manager
Jamey Falkenbury	Press Secretary and Director of Operations
Steven Walker	General Counsel and Policy Director
Hal Weatherman	Chief of Staff

OFFICE OF THE PRESIDENT *PRO TEMPORE*

Philip E. Berger	President <i>Pro Tempore</i>
Amy Auth	Deputy Chief of Staff for Communications & Operations
Jim Blaine	Chief of Staff
Pat Berger	Research Assistant
Shelly Carver	Deputy Communications Director
Barbara Eldridge	Legislative Assistant
Peggy Halifax	Legislative Assistant
Darrell Malcolm	Director of Boards and Commissions/ Special Assistant
Sara Riggins	Policy Advisor
Erica Shrader	Deputy Chief of Staff for Policy
Will Tomlinson	Director of Scheduling and Special Projects
Andrew Tripp	General Counsel
Kolt Ulm	Policy Advisor
Jeff Warren	Senior Policy Advisor
Dylan Watts	Policy Advisor
Graham Whitaker	Constituent Liaison

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

Louis Pate	Deputy President <i>Pro Tempore</i>
Edna Pearce	Legislative Assistant

OFFICE OF THE SENATE MAJORITY LEADER

Harry Brown	Majority Leader
Sally-Ann Gupta	Legislative Advisor
Kristi Huff	Appropriations Advisor
Elise McDowell	Legislative Assistant

OFFICE OF THE SENATE DEMOCRATIC LEADER

Daniel T. Blue, Jr.	Democratic Leader
Fred Aikens	Chief of Staff
Travis Huling	Research Assistant

OFFICE OF THE SENATE DEMOCRATIC LEADER (continued)

Bonnie McNeil	Legislative Assistant
Leslie Rudd	Information and Communications Specialist

OFFICE OF THE PRINCIPAL CLERK

Sarah Lang	Principal Clerk
Leigh Gipple	Administrative Clerk
Terry Rumley	Administrative Clerk
Alissa Whatley	Administrative Clerk
Sharon Evans	Assistant
Charlotte Johnston	Assistant
Shirley Parker	Assistant
Bing Ruitter	Assistant
Peggy Telfair	Assistant
Michael Perdue	Page Coordinator

SENATE CHAPLAIN

The Reverend Peter Milner

READING CLERK

Lee Settle

OFFICE OF THE SERGEANT-AT-ARMS

Philip King	Sergeant-at-Arms
Jim Blackburn	Lead Assistant
Robert B. Myrick	Deputy

Assistants

Terry Barnhardt	Charles Marsalis
Donna Blake	Steve McKaig
John Enloe	Becky Myrick
James Hamilton	Sham Patel
Lawrence E. Hancock	Frances Patterson
Dale Huff	Hal Roach
Giles Jeffreys	Matt Urben
Ed Kesler	Steve Wilson

OFFICE OF LEGISLATIVE ASSISTANTS

Janet Black	Director
Sherry Pearson	Administrative Assistant

SENATE LEGISLATIVE STAFF

Lisa Apodaca	Senator Apodaca
Dylan Arant	Senator J. Jackson
Irma Avent-Hurst	Senator Van Duyn
Ross Barnhardt	Senator B. Jackson
Julie Bradburn	Senator Apodaca
Phyllis Cameron	Senator Robinson
Suzanne Castleberry	Senator Tillman
Judy Chriscoe	Senator Bingham

SENATE LEGISLATIVE STAFF (continued)

Pat Christmas	Senator Lowe
Kaye Culberson	Senator J. Davis
Cindy Davis	Senator Smith
Blinda Edwards	Senator D. Davis
Judy Edwards	Senator Brock
Barbara Eldridge	Senator Berger
Emily Emanuels	Senator Lee
Alexander Fagg	Senator B. Jackson
Kathryn Fanning	Senator Ballard
Susan Fanning	Senator Hise
Erhonda Farmer	Senator Clark
Paula Fields	Senator Rabon
Candy Finley	Senator Chaudhuri
William Fritscher	Senator Rucho
Josh Grant	Senator Harrington
Sally-Ann Gupta	Senator Brown
Peggy Halifax	Senator Berger
Michael Hannah	Senator Rucho
Karon Hardy	Senator Bryant
Kathy Hartsell	Senator Wade
Jordan Hennessy	Senator Cook
Kristi Huff	Senator Brown
Travis Huling	Senator Blue
Karen Johns	Senator Gunn
Gerry Johnson	Senator Hartsell
Jeb Kelly	Senator Randleman
Lisa Kennedy	Senator Tarte
Laura Kilian	Senator Apodaca
Maria Kinnaird	Senator Bingham
Patrick Limer	Senator Randleman
Debbie Lown	Senator Meredith
DeAnne Mangum	Committee Assistant
Mary Marchman	Senator Harrington
Robert Mays	Senator Wade
Elise McDowell	Senator Brown
Bonnie McNeil	Senator Blue
Gislaine Melo	Senator McKissick
Brian Mooney	Senator Krawiec
Jyrita Moore	Senator Waddell
Eric Naisbitt	Senator Barefoot
Edna Pearce	Senator Pate
Andy Perrigo	Senator Daniel
Jackie Ray	Senator Ford
Chandra Reed	Senator Rabin
Carol Resar	Senator Woodard
Linda Sanderson	Senator Sanderson
Angelicia Simmons	Senator Smith-Ingram

SENATE LEGISLATIVE STAFF (continued)

Libby Spain	Senator McInnis
James Spivey	Senator Foushee
Joseph Stansbury	Senator Tucker
Robert Strickland	Senator Tarte
Ginny Taylor	Senator Tillman
Lynn Tennant	Senator Curtis
William Verbiest	Senator Rucho
Kathy Voss	Senator Sanderson
Linda Wentz	Senator Wells
Perry Wester	Senator Alexander
Gloria Whitehead	Senator Barringer
Carol Wilson	Senator Newton
Brent Woodcox	Senator Rucho

SENATE ASSISTANTS (SUBSTITUTES)

Anne Canady	Ted Harrison
Genie Clark	Becky Hedspeth
Kathy Davis	Anna Kidd
Carolyn Gooden	

SENATE INTERNS

Jaleesa Askew	Senator Lowe
Ryan Barlow	Senator Smith
Nina Barrett	Senator Lowe
Emily Bedsole	Senator Bingham
Meridith Berson	Senator Barefoot
Adonna Biel	Senator Woodard
Reuben Blackwell	Senator Lowe
Hunter Blohm	Senator McInnis
Andre Board	Senator Blue
Christopher Broughton	Senator Rabon
Jazzmine Burch	Senator Blue
Ravi Chittilla	Senator Chaudhuri
Collis Clark II	Senator Bryant
Margaret Clark	Senator Newton
Francis Collins	Senator Rabin
Marshall Conrad	Senator Tillman
Mary Daughtry	Senator Newton
Malinda Dilday	Senator Curtis
Laura Douglass	Senator Daniel
Kelly Elder	Senator Foushee
Noreen Elnady	Senator Woodard
Alexandra Ferri	Senator Cook
Madeleine Fleming	Senator Gunn
Chase Freeman	Senator Brown
William Futrell III	Senator Blue
Madeline Gale	Senator Brock

SENATE INTERNS (continued)

Ryan Gee	Senator Meredith
Jasmine Glaspie	Senator Bryant
Caleb Gregory	Senator B. Jackson
Molly Hass	Senator Brock
Kelby Hicks	Senator Smith-Ingram
Eryn Howington	Senator Waddell
Madeline Hurley	Senator J. Davis
Taylor James	Senator Cook
Harrison Jenkins	Senator Sanderson
Carolina-Fonseca Jimenez	Senator Blue
Joe Johnston	Senator Robinson
Justice Lang	Senator Van Duyn
Aleisha Lee	Senator Lee
Jacqueline Lee	Senator Waddell
Michael Macdonald	Senator Krawiec
Jamar McCarthy	Senator Waddell
Holden McLemore	Senator Ballard
Sophia McMahan	Senator Harrington
Marques McPhail	Senator D. Davis
Deandre Newsome	Senator Smith-Ingram
Sinclair Owen	Senator Pate
Matthew Parker	Senator McInnis
Courtney Pearce	Senator Hise
Michael Poehler	Senator Hise
Joelle Portzer	Senator J. Jackson
Seth Riggins	Senator Gunn
Logan Rigsbee	Senator Gunn
John Rosemond	Senator Harrington
Isaiah Sconiers	Senator Blue
William Smith	Senator J. Jackson
Amanda Spence	Senator Tucker
Kermit Stancil	Senator B. Jackson
Jillian Swett	Senator Tarte
Sara Terry	Senator Clark
Sidney Thomas	Senator D. Davis
Susan Tyler	Senator Barringer
Avani Uppalapati	Senator J. Jackson
Wesleigh Vick	Senator Rabon
Daniel Washburn	Senator Alexander
Adam Whitaker	Senator Ford
Nique Williams	Senator Robinson
James Wudel	Senator J. Jackson
Elizabeth Yelverton	Senator McKissick
Andrew Ziperski	Senator Tillman

**SENATE PAGES
2016 SESSION**

Bre Allen, Hamlet
Kayla Alston, Reidsville
Camryn Anderson, Charlotte
Jacob Anspach, Efland
Alexis Bailey, Raleigh
Tanner Bailey, Wilkesboro
Em Barringer, Cary
John Bennett, Wilmington
Christian Beskie, Timberlake
Hunter Best, Wendell
Jorren Biggs, Durham
Anna Blount, Clinton
Mable Blount, Greenville
William Blount, Jr., Greenville
Audrey Bowman, Raleigh
Jordan Bromfield, Monroe
Carter Brown, Gastonia
Lauren Brown, Troy
Taylor Buchanan, Asheville
Lauren Bush, Cornelius
Brantley Butler, Madison
Kennedy Byrd, Cary
Lauren Byrum, Winston-Salem
Joseph Canney, New Bern
Anna Capps, Whiteville
Simon Cawley, Mount Airy
Lucy Church, Raleigh
Amy Clemmons, Raleigh
Audra Cloer, Franklin
Noah de Comarmond, Raleigh
Jonathan Cook, Mocksville
Dymond Covington, Raleigh
Jay Craig III, Holden Beach
Korbin Cummings, Charlotte
Brenna Daniel, Morganton
Julia Daniel, Morganton
Austin Davis, Raleigh
Carly Davis, Franklin
Maddie Davis, Seaboard
Ron Davis II, Norlina
Jackson Dew, Jamestown
Else Dietrich, Rockingham
Hogan Disbrow, Southport

Lillian Dotson, Clayton
Brianna Dunlap, Charlotte
Isabella Dyson, Charlotte
Jake Edwards, Charlotte
Jake Fain, Winston-Salem
Abby Farina, Sanford
Will Farthing, Harrisburg
Kelly Anne Faulk, Sanford
Emily Ficker, Raleigh
Cameron Fisher, Raleigh
Drew Fisher, Mooresville
Austin Flores, Apex
Jared Forbes, Wake Forest
Cameron Ford, Cary
Margaret Fountain, Raleigh
Meredith Fowler, Raleigh
Louis Frink, Holly Springs
Audrey Frye, Charlotte
David Garrett, Greensboro
Eli Gauldin, Southport
Edmond Gayton, Raleigh
William Gilchrist, Raleigh
Joel Gillison, Harrisburg
Kendall Gilmore, Waynesville
Michael Glennon, Willow Spring
Kenden Godwin, Newton Grove
Lauren Grayson, Charlotte
Nick Griffin, Asheboro
Thomas Grubb, Greenville
Teague Hagerty, Raleigh
Dianthony Hall, LaGrange
Althea Hamilton, Asheville
Alyssa Hansen, Apex
Emily Harman, Lexington
Hope Harrington, Garner
Trevor Hartley, Jacksonville
Tucker Hartley, Angier
MacKenzie Herman, Franklin
Ethan Hiatt, Jamestown
Avery Hilbert, Wilmington
Aubrey Hill, Charlotte
Josephine Hill, Durham
Savannah Hill, Hookerton

Finch Hobart, Wilmington	Mattheos Meliones, Raleigh
McCall Holland, Ocean Isle Beach	Josh Meredith, Fayetteville
David Huffman, Stedman	Jack Mitchell, Jr., Durham
Camden Hughes, Trent Woods	Elias Moore, Nashville
Michael Hughes, Raleigh	Thomas Moore III, Rocky Mount
Joe Hyde, Greensboro	Ashton Murphy, Henderson
Andrea Irving, Winston-Salem	John Nicholson III, Raleigh
Benji Jack, Cliffside	Seth Norwood, Greensboro
Ashley Johnson, Asheboro	Ona Ojo, Fayetteville
Rae Johnson, Raleigh	Garrett Penley, Mocksville
Nicholas Jones, Dunn	Jada Peterson, Rocky Mount
Kameron Ketner, Durham	Lacey Peterson, Apex
Kaison King, Elon	William Pittman, Conover
Laken Knowles, Clinton	Sarah Poole, Troy
Calvin Koonce III, Raleigh	Ashlyn Pratt, Winston-Salem
Matthew Krawiec, Hickory	Will Pruthi, Durham
Cara Kuuskvere, Charlotte	Bryce Pugh, Nags Head
Matthew Langston, Wilson	Boyce Purdie, Clinton
Arturo Lara, Manteo	Caroline Putze, Raleigh
Kensi Laube, Reidsville	Jennifer Qian, Chapel Hill
Payton Laube, Reidsville	Arvind Rajan, Raleigh
Ben Lee, Fayetteville	Lexi Ray, Knightdale
Sam Legrand, Pittsboro	Sarah Replogle, Raleigh
Claire Lewis, Reidsville	Watson Reyes, Magnolia
Daniel Liu, Apex	Sydney Richmond, Raleigh
Eva Logan, Charlotte	Mason Roberts, Durham
Ashley Lopez-Figuera, Greensboro	Lee Rodio, Durham
Lindsey Lovitt, Marvin	Reagan Rushing, Wingate
Sanaa Lucas, Winston-Salem	Conrad Ruff, Forest City
Caroline Luther, Hendersonville	Jack Sabye, Cary
Angelica Lynn, Eden	Marika Samuelsson, Selma
Everette Malchow, Black Mountain	Carolina Sanchez, Burnsville
Spencer Mangum, Raleigh	Bennett Sapp, Burlington
Emilyann Marsh, Zebulon	Jordyn Scheitler, Belmont
Katie Marsh, Charlotte	Kamal Sharpe, Gastonia
Fatima Martinez, Durham	Sarah Sharpe, Hickory
Ellis Matthews, Reidsville	Kenton Shelton, Hope Mills
Mikayla McDaniel, Chapel Hill	Queenasia Shivers, High Point
Dalton McLamb, Greensboro	Tyson Shoaf, Lexington
KrisAnna McLamb, Benson	Sara Shugart, Jacksonville
Campbell McLauchlan, Fuquay-Varina	Hunter Smith, Mocksville
Riley McNulty, Huntersville	Jacie Smith, Reidsville
Mikayla Medley, Rolesville	Luke Smith, Angier
Audrey Meigs, Fairview	Adam Stein, Raleigh
Dylan Melvin, Elizabethtown	Mason Stewardson, Wilmington
	Grace Strickland, Elon

Griffin Sullivan, Raleigh
Katie Sutton, LaGrange
Kate Taylor, Wilson
Noah Taylor, Greensboro
Zac Taylor, Wilson
Sean Thomas, Fayetteville
Owen Tierney III, Raleigh
India Tisdale, Bethany
Elise Tison, Bakersville
Emma Tonnemacher, Cary
Ally Turnage, Snow Hill
Julia Wakeman, Cornelius
Wil Warner IV, Sunset Beach
Andrew Weatherman, Charlotte
Greear Webb, Raleigh

Jake Weist, Archdale
Kayla Welch, Edenton
Elizabeth White, Deep Gap
Hannah White, Deep Gap
J'nea Wiggins, Knightdale
Angel Williams, Grifton
Ashanti Williams, Winston-Salem
Hanna Williams, Elon
Anna Scott Wingfield, Nashville
Sam Wolstenholme-Britt, Cary
Xan Wolstenholme-Britt, Cary
Elizabeth Wood, Hickory
Campbell Woody, Oak Island
Ellis Woodyard, Raleigh
Jared Yates, North Wilkesboro

SENATE PRESIDENT PRO TEMPORE APPOINTMENTS

The following appointments and recommendations to Boards and Commissions were made during 2016 by The Honorable Phil Berger, President *Pro Tempore*.

President <i>Pro Tempore</i> Appointments	Appointed	Expires
911 BOARD		
G.S. 143B-1401(3)		
Mr. Joshua T. Brown	01/01/2017	12/31/2020
Mr. Jeffrey H. Ledford	01/01/2017	12/31/2020
ACUPUNCTURE LICENSING BOARD		
G.S. 90-453(a)		
Ms. Toni Rittenberg (RA)	07/12/2016	06/30/2019
Mr. Ji Fei Wang	07/12/2016	06/30/2019
ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.100(1)		
Sen. Fletcher Hartsell	08/19/2016	01/15/2017
Sen. Andy Wells (CC)	08/19/2016	01/15/2017
AFRICAN-AMERICAN HERITAGE COMMISSION		
G.S. 143B-135(b)(2)		
Ms. Latoya C. Coffield	08/04/2016	06/30/2019
AGRICULTURAL FINANCE AUTHORITY, NORTH CAROLINA		
G.S. 122D-4(b)(4), G.S. 122D-4(b)(6)		
Dr. Charles B. Williams (RA)	07/12/2016	07/01/2019
ARBORETUM BOARD, NORTH CAROLINA		
G.S. 116-243		
Ms. Jennifer Sullivan (RA)	07/12/2016	06/30/2020
BANKING COMMISSION, NORTH CAROLINA		
G.S. 53C-2-1(a)		
Mr. Edward C. Ashby (RA)	07/12/2016	03/31/2020
BOXING ADVISORY COMMISSION		
S.L. 2007-528, G.S. 143-652.2(a)(2)		
Dr. Phillip M. Stephens (RA)	07/01/2016	06/30/2019
BUILDING COMMISSION, STATE		
G.S. 143-135.25 (c)(5)		
Ms. Susan B. Lewis (RA)	07/12/2016	06/30/2019
CAPITAL FACILITIES FINANCE AGENCY BOARD, NORTH CAROLINA		
G.S. 159D-38(a)		
Mr. Vincent DeBenedetto (RA)	07/12/2016	02/28/2020

President Pro Tempore Appointments	Appointed	Expires
CHILD CARE COMMISSION		
G.S. 143B-168.4(a)		
Dr. Elizabeth Gilleland (RA)	07/12/2016	06/30/2018
Rev. Charles F. McDowell III (RA)	07/12/2016	06/30/2018
CHILDREN BOARD OF DIRECTORS, NORTH CAROLINA PARTNERSHIP FOR		
G.S. 143B-168.12(a)(1)(e)		
Ms. Lorraine Benthin	01/01/2017	12/31/2019
Ms. Cheryl Cavanaugh (RA)	01/01/2017	12/31/2019
Mr. James P. Danahy	01/01/2017	12/31/2019
Ms. Marie D. Inscore (RA)	01/01/2017	12/31/2019
CHIROPRACTIC EXAMINERS, STATE BOARD OF		
G.S. 90-139(a)		
Dr. Kevin Sharp	07/12/2016	06/30/2019
CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES		
G.S. 143B-135.240(b)(5)		
Mr. William W. Toole (RA)	07/12/2016	07/01/2019
CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA		
G.S. 143-151.9		
Mr. Leslie T. Everett	07/19/2016	06/30/2018
CONSUMER AND FAMILY ADVISORY COMMITTEE, STATE		
G.S. 122C-171(b)(2)		
Mr. Pat McGinnis	07/07/2016	06/30/2019
COSMETIC ART EXAMINERS, NORTH CAROLINA BOARD OF		
G.S. 88B-3(a)(1)		
Ms. Diane Smith	07/07/2016	06/30/2019
CRIME COMMISSION, GOVERNOR'S		
G.S. 143B-1100(b)(4)		
Mr. Benjamin J. Curtis	07/12/2016	02/28/2017
Mr. Ernie L. Coleman	07/12/2016	02/28/2017
DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR		
G.S. 84-28.1(a)		
Mr. Michael S. Edwards (RA)	07/12/2016	06/30/2019
DOMESTIC VIOLENCE COMMISSION		
G.S. 143B-394.15(c)(2)		
The Honorable David V. Byrd	09/01/2016	08/31/2018
Ms. Angela L. Harris (RA)	09/01/2016	08/31/2018
Ms. Maureen Krueger	09/01/2016	08/31/2018
Mr. Gregory C. Light	09/01/2016	08/31/2018

President <i>Pro Tempore</i> Appointments	Appointed	Expires
ECONOMIC ADVANCEMENT FOUNDATION, INC. BOARD OF DIRECTORS, GOLDEN LONG-TERM		
S.L. 1999-2 Section 2(c)		
Mr. David L. Rose	12/01/2016	11/30/2020
Mr. Edwin J. Vick	12/01/2016	11/30/2020
ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.130(1)		
Sen. David Curtis (advisory member)	08/19/2016	01/10/2017
Sen. Bill Rabon	08/19/2016	01/10/2017
Sen. Tommy Tucker (advisory member)	08/19/2016	01/10/2017
EDENTON HISTORICAL COMMISSION		
G.S. 143B-98		
Ms. Joy T. Harvill	09/13/2016	at the pleasure
EDUCATION AND WORKFORCE INNOVATION COMMISSION, NORTH CAROLINA		
G.S. 115C-64.15(b)(8)		
Mr. Sajjan Agarwal	07/12/2016	06/30/2019
Mr. Michael J. Martini (RA)	07/12/2016	06/30/2019
EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.80(1)		
Sen. Deanna Ballard	08/19/2016	01/10/2017
Sen. Chad Barefoot (CC)	08/19/2016	01/10/2017
Sen. Michael Lee	08/19/2016	01/10/2017
ELECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.140(1)		
Sen. Andy Wells	08/19/2016	01/15/2017
EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.150(1)		
Sen. Deanna Ballard	08/19/2016	01/10/2017
Sen. Ronald Rabin (CC)	08/19/2016	01/10/2017
ENERGY BOARD, SOUTHERN STATES		
G.S. 104D-2(a)(3)		
Sen. Andrew Brock	09/09/2016	at the pleasure
Sen. Trudy Wade	09/09/2016	at the pleasure
ENERGY POLICY COUNCIL		
G.S. 113B-3(c)(4)		
Mr. Paolo Carollo (RA)	07/12/2016	06/30/2019
ETHICS COMMISSION, STATE		
G.S. 138A-7(a)(2)		
Mr. Daniel J. Zeller (RA)	01/01/2017	12/31/2020

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FIRE AND RESCUE COMMISSION, STATE		
G.S. 58-78-1(a)(3)		
Mr. Vernon Massengill	07/11/2016	06/30/2019
GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON		
G.S. 120-74		
Sen. Ben Clark	08/19/2016	01/15/2017
Sen. Wesley Meredith	08/19/2016	01/15/2017
HEALTH AND HUMAN SERVICES, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-208(a)(1)		
Sen. Jay Chaudhuri	08/19/2016	01/10/2017
HEALTH INFORMATION EXCHANGE ADVISORY BOARD, NORTH CAROLINA		
G.S. 90-414.8(a)1(a), G.S. 90-414.8(a)1(b), G.S. 90-414.8(a)1(c), G.S. 90-414.8(a)1(d)		
Mr. Jason Cagle	06/20/2016	09/30/2017
Mr. Thomas N. Friedman	06/20/2016	09/30/2016
Mr. Russell T. Henderson	06/20/2016	09/30/2016
Dr. William G. Way	06/20/2016	09/30/2017
HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, BOARD OF TRUSTEES OF THE STATE		
G.S. 135-48.20(h)		
Ms. Virginia R. Smith	07/12/2016	06/30/2018
Ms. Margaret Way	11/29/2016	06/30/2018
HEMP COMMISSION, NORTH CAROLINA INDUSTRIAL		
G.S. 106-568.52(a)(2)		
Chief Anthony L. Godwin	07/28/2016	06/30/2019
HUMAN RELATIONS COMMISSION, NORTH CAROLINA		
G.S. 143B-392(a)		
Mr. Guy Anglade (RA)	07/12/2016	06/30/2020
Mr. Immanuel C. Jarvis (RA)	07/12/2016	06/30/2020
INFORMATION TECHNOLOGY, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-232(a)(1)		
Sen. Jay Chaudhuri	08/19/2016	01/10/2017
Sen. Shirley Randleman	08/19/2016	01/10/2017
INSURANCE, LRC JOINT STUDY COMMITTEE ON REGULATORY AND RATE ISSUES IN		
G.S. 120-30.10(b)		
Sen. Wesley Meredith	09/09/2016	01/15/2017
INTERNSHIP COUNCIL, NORTH CAROLINA		
G.S. 143B-418		
Ms. Meridith Berson	05/12/2016	at the pleasure

President Pro Tempore Appointments	Appointed	Expires
JUDICIAL COUNCIL, STATE		
G.S. 7A-409(a)(13)		
Mr. Hugh Campbell (RA)	01/01/2017	12/31/2020
JUSTICE AND PUBLIC SAFETY, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-70.93(1)		
Sen. Norman Sanderson	08/19/2016	01/10/2017
LANDSCAPE CONTRACTORS' LICENSING BOARD, NORTH CAROLINA		
G.S. 89D-14(a)(4)		
Mr. Michael Caron	07/12/2016	06/30/2018
LEGISLATIVE RESEARCH COMMISSION		
G.S. 120-30.10(a)		
Sen. Harry Brown (CC)	08/19/2016	01/15/2017
LEGISLATIVE SERVICES COMMISSION		
G.S. 120-31(a)		
Sen. Bob Rucho	08/19/2016	01/10/2017
LIBRARY COMMISSION, STATE		
G.S. 143B-91(a)		
Ms. Lisa Duncan (RA)	07/12/2016	06/30/2020
LOCKSMITH LICENSING BOARD, NORTH CAROLINA		
G.S. 74F-5(a)(1)		
Mr. Jonathan A. Jeffries	01/01/2017	12/31/2019
LOTTERY, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON THE NORTH CAROLINA STATE		
G.S. 120-295(a)(1)		
Sen. Tom McInnis	08/19/2016	01/10/2017
MANUFACTURED HOUSING BOARD, NORTH CAROLINA		
G.S. 143-143.10(a)(6), G.S. 143-143.10(a)(7)		
Ms. Cynthia R. Barringer	07/12/2016	06/30/2019
Mr. Richard L. Hill	07/12/2016	06/30/2019
MARTIN LUTHER KING, JR. COMMISSION		
G.S. 143B-426.34B		
Mr. Emanuel D. Ealy	07/19/2016	06/30/2017
MEDICINE, BOARD OF DIRECTORS OF THE NORTH CAROLINA INSTITUTE OF		
G.S. 90-471(a)(2)		
Dr. Penney Burlingame Deal	07/12/2016	12/31/2017
Mr. Keith S. Holtsclaw	07/12/2016	12/31/2017

President Pro Tempore Appointments	Appointed	Expires
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, COMMISSION FOR		
G.S. 143B-148(a)(1)		
Dr. Brian B. Sheitman (RA)	07/12/2016	06/30/2019
Ms. Robin Todd-Hall	07/12/2016	06/30/2019
MILITARY AFFAIRS COMMISSION, NORTH CAROLINA		
G.S. 143B-1311(b)(3)		
Col. Walter J. Marm, Jr. (RA)	08/01/2016	07/31/2019
Lt. Gen. Gary S. McKissock (RA)	08/01/2016	07/31/2019
MINORITY HEALTH ADVISORY COUNCIL		
G.S. 130A-33.44(a)(3)		
Ms. Brenda J. Smith (RA)	07/12/2016	06/30/2020
Dr. Rosemary Fernandez Stein (RA)	07/12/2016	06/30/2020
Ms. Sharon K. West	09/23/2016	06/30/2019
ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD, NORTH CAROLINA		
G.S. 90A-73(a)(6)		
Mr. William R. Davis (RA)	07/12/2016	06/30/2019
OUTDOOR HERITAGE ADVISORY COUNCIL		
G.S. 143B-344.60(b)(1)		
Mr. Owen D. Andrews (RA)	10/01/2016	09/30/2020
PARKS AND RECREATION AUTHORITY, NORTH CAROLINA		
G.S. 143B-135.202(a)		
Ms. Cynthia Tart (RA)	07/12/2016	06/30/2019
PERMANENCY INNOVATION INITIATIVE OVERSIGHT COMMITTEE		
G.S. 131D-10.9A(a)(2)		
Mr. Rhett N. Mabry (RA)	07/12/2016	06/30/2019
PORTS AUTHORITY, NORTH CAROLINA STATE		
G.S. 136-260(e)		
Mr. Jerry Cook (RA)	07/12/2016	06/30/2018
RECREATIONAL THERAPY LICENSURE BOARD, NORTH CAROLINA		
G.S. 90C-23(b)(5)		
Mr. Michael Atkins (RA)	07/12/2016	06/30/2019
RESPIRATORY CARE BOARD, NORTH CAROLINA		
G.S. 90-650(a)(3)		
Ms. Robin Ross (RA)	07/12/2016	10/31/2019
RETIREMENT BOARD OF TRUSTEES, SUPPLEMENTAL		
G.S. 135-96(b)(3)		
Ms. Melinda L. Baran (RA)	07/12/2016	06/30/2019
REVENUE LAWS STUDY COMMITTEE		
G.S. 120-70.105(a)(1)		
Sen. Wesley Meredith (advisory member)	08/19/2016	01/15/2017
Sen. Tommy Tucker (advisory member)	08/19/2016	01/15/2017

President Pro Tempore Appointments	Appointed	Expires
ROANOKE ISLAND COMMISSION		
G.S. 143B-131.6(a)(2)		
Mr. Zenas Fearing (RA)	07/12/2016	06/30/2018
Mr. Edward B. Lane (RA)	07/12/2016	06/30/2018
Mr. Clark S. Twiddy (RA)	07/12/2016	06/30/2018
RURAL INFRASTRUCTURE AUTHORITY		
G.S. 143B-472.128(b)(2)		
Ms. Pamela J. Cundiff (RA)	07/12/2016	06/30/2019
Mr. Heath R. Jenkins	07/12/2016	06/30/2019
SCHOOL-BASED ADMINISTRATOR PAY, JOINT LEGISLATIVE STUDY COMMITTEE ON		
S.L. 2016-94 sec. 9.4.(a)		
Sen. Deanna Ballard	08/19/2016	at the pleasure
Sen. Chad Barefoot	08/19/2016	at the pleasure
Sen. Jerry Tillman (CC)	08/19/2016	at the pleasure
TEACHING BOARD OF TRUSTEES, NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF		
G.S. 115C-296.6(a)(2)		
Mr. Cory S. Causby	07/12/2016	06/30/2020
Mr. Aaron Flemming (RA)	07/12/2016	06/30/2020
TOBACCO TRUST FUND COMMISSION		
G.S. 143-717(b)(2)(a), G.S. 143-717(b)(2)(e), G.S. 143-717(b)(2)(f)		
Ms. Susan B. Barnes	07/19/2016	06/30/2020
Mr. William K. Collins, Sr. (RA) (at-large member)	07/19/2016	06/30/2020
Mr. William H. Teague (RA) (at-large member)	07/19/2016	06/30/2020
TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120-70.50(1)		
Sen. Ralph Hise	08/19/2016	01/15/2017
UMSTEAD ACT UNFAIR COMPETITION PANEL		
G.S. 66-58(i)(3)		
Mr. Ronald Cooper, Sr. (RA)	07/12/2016	06/30/2020
Ms. Perri L. Morgan (RA)	07/12/2016	06/30/2020
UNEMPLOYMENT INSURANCE, JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON		
G.S. 120-70.155		
Sen. Andy Wells (advisory member)	09/29/2016	01/10/2017
WATER INFRASTRUCTURE AUTHORITY, STATE		
G.S. 159G-70(b)(7)		
Mr. Charles E. Vines (RA)	07/12/2016	06/30/2018

President *Pro Tempore* Appointments**Appointed****Expires****WORKFORCE DEVELOPMENT SYSTEM REFORM OVERSIGHT
COMMITTEE, JOINT LEGISLATIVE**

S.L. 2012-131 sec. 7.(a)(1)

Sen. David Curtis (CC)

08/19/2016

at the pleasure

Sen. Trudy Wade

08/19/2016

at the pleasure

-
- (C) Chairman
(CC) Co-Chair
(RA) Re-appointment
(VC) Vice Chair

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