JOURNAL

OF THE

SENATE

OF THE

2017 GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SECOND EXTRA SESSION

2018

OFFICERS AND MEMBERS OF

THE SENATE OF THE NORTH CAROLINA 2017 GENERAL ASSEMBLY SECOND EXTRA SESSION 2018

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 D. SMITH (D)	Gaston
4	MILTON F. "TOBY" FITCH, JR. (D)	Wilson
5	DON DAVIS (D)	Greenville
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	RICK HORNER (R)	Wilson
12	RONALD J. RABIN (R)	Spring Lake
13	DANNY EARL BRITT, JR. (R)	Lumberton
14	DAN BLUE (D)	Raleigh
15	JOHN M. ALEXANDER, JR. (R)	Raleigh
16	JAY J. CHAUDHURI (D)	Raleigh
17	TAMARA BARRINGER (R)	Cary
18	CHAD 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	CATHY DUNN (R)Lexington
34	DAN BARRETT (R) Advance
35	W. THOMAS TUCKER (R)Waxhaw
36	PAUL NEWTON (R)Mount Pleasant
37	JEFF JACKSON (D)Charlotte
38	JOEL D. M. FORD (D)Charlotte
39	DAN BISHOP (R)Charlotte
40	JOYCE WADDELL (D)Charlotte
41	JEFFERY P. TARTE (R)Cornelius
42	ANDREW WELLS (R)Hickory
43	KATHY HARRINGTON (R) Gastonia
44	VICTORIA SAWYER (R) Mooresville
45	DEANNA BALLARD (R) Blowing Rock
46	WARREN T. DANIEL (R)Morganton
47	RALPH E. HISE, JR. (R)Spruce Pine
48	CHUCK EDWARDS (R)Flat Rock
49	TERRY VAN DUYN (D) Asheville
50	JAMES W. DAVIS (R)Franklin
	SENATE OFFICERS
	ANG HOLLAND, Principal Clerk

SENATE JOURNAL

SECOND EXTRA SESSION 2018

FIRST DAY

Senate Chamber Friday, August 24, 2018

In accordance with law, as set forth in the Constitution of the State of North Carolina, and pursuant to the Joint Proclamation issued on August 23, 2018, upon the receipt of written requests of three-fifths of all the members of the Senate and the House of Representatives, the Senate of the 2017 General Assembly convenes in Second Extra Session 2018 at the hour of 9:00 a.m. in the Senate Chamber of the Legislative Building in the City of Raleigh.

The Honorable Phil Berger, President *Pro Tempore*, presides and calls the Senate to order.

Prayer is offered by The Honorable Joyce Waddell, Senator from Mecklenburg County, as follows:

"Dear heavenly Father, blessed Savior, and merciful God, today in this special session in the Senate chamber, may your goodness and love be present among us. Help us to remember that you are our strength in the times of trouble. Take charge of our decisions, and help us as you renew our faith. Give us the humility always to seek you first. This prayer we offer in the name of Jesus. And all the people said, 'Amen.'"

PLEDGE OF ALLEGIANCE

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

PROCLAMATION OF AN EXTRA SESSION

The President *Pro Tempore* instructs the clerk to read the Joint Proclamation issued by the President of the Senate and the Speaker of the House of Representatives as follows:

JOINT PROCLAMATION TO CONVENE THE GENERAL ASSEMBLY OF NORTH CAROLINA IN EXTRA SESSION

WHEREAS, Article II, Section 11(2) of the Constitution of North Carolina authorizes and requires the Speaker of the House of Representatives and the President of the Senate to convene the General Assembly in extra session by joint proclamation upon receipt of written requests signed by three-fifths of all members of the House of Representatives and the Senate, and

WHEREAS, the President of the Senate and the Speaker of the House of Representatives has each received written requests from three-fifths of all the members of the House of Representatives and the Senate,

NOW, THEREFORE, the Speaker of the House of Representatives and the President of the Senate do hereby proclaim that the General Assembly of North Carolina shall convene in extra session in the City of Raleigh, North Carolina, in the State Legislative Building at 9:00 o'clock a.m. on Friday, August 24, 2018, to consider bills concerning any matters the General Assembly elects to consider.

A copy of the Proclamation shall be delivered to each member of the House of Representatives, and the Senate, and a copy to the Governor of North Carolina and the Secretary of State.

Issued this the 23rd day of August, 2018.

(SEAL) S/ Daniel J. Forest
President of the Senate

(SEAL) S/ Tim Moore

Speaker of the House of

Representatives

The President *Pro Tempore* announces that the written petitions from thirty-two Senators and seventy-two members of the House of Representatives are on file in their respective Principal Clerk's offices, where they shall remain for a period of two years. The names of the signatories are as follows:

Senators Alexander, Ballard, Barefoot, Barrett, Berger, Bishop, Britt, Brown, Cook, Daniel, J. Davis, Dunn, Edwards, Gunn, Harrington, Hise, Horner, B. Jackson, Krawiec, McInnis, Newton, Pate, Rabin, Rabon, Randleman, Sanderson, Sawyer, Tarte, Tillman, Tucker, Wade, and Wells---32.

Speaker T. Moore, Representatives Adams, Arp, J. Bell, Blackwell, Blust, Boles, Boswell, Bradford, Brawley, Brisson, Brody, Bumgardner, Burr, Clampitt, Cleveland, Collins, Conrad, Corbin, Davis, Dixon, Dobson, Dollar, Elmore, Faircloth, Ford, Fraley, Grange, Destin Hall, K. Hall, Hardister, Hastings, Henson, Horn, Howard, Hurley, Iler, Johnson, Bert Jones, Brenden Jones, Jordan, Lambeth, Lewis, Malone, S. Martin, McElraft, McNeill, Muller, Murphy, Pittman, Potts, Presnell, Riddell, Rogers, Ross, Saine, Sauls, Setzer, Shepard, Speciale, Steinburg, Stevens, Strickland, Szoka, Torbett, R. Turner, Warren, Watford, White, Williams, Yarborough, and Zachary---72.

CALL OF THE ROLL

The President *Pro Tempore* directs the clerk to call the roll of the members of the Senate heretofore elected to the 2017 General Assembly, and the following answer the call:

Senators Alexander, Ballard, Barefoot, Berger, Bishop, Britt, Clark, Cook, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, B. Jackson, Krawiec, McInnis, Meredith, Newton, Rabin, Rabon, Randleman, Sanderson, Sawyer, Tillman, Waddell, Wade, and Wells---29.

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

OFFICERS

Without objection, the President *Pro Tempore* announces that the officers of the Senate of the 2017 Regular Session shall serve as the officers of the 2018 Second Extra Session.

ADOPTION OF RULES

Senator Rabon submits a resolution for filing, introduction, and immediate consideration. The resolution is presented to the Senate, read the first time, and disposed of as follows:

By Senator Rabon:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2018 SECOND EXTRA SESSION OF THE GENERAL ASSEMBLY.

The resolution is read a second time and placed before the Senate for adoption.

The text of the resolution is as follows:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2018 SECOND EXTRA SESSION OF THE GENERAL ASSEMBLY.

Be it resolved by the Senate:

SECTION 1. The permanent rules of the 2017 Regular Session, with the following amendments, are the rules governing the 2018 Second Extra Session of the General Assembly:

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

Senate Select Committee on Elections

Rules and Operations of the Senate

All committees shall be comprised of the members who were appointed to those committees during the 2017 Regular Session.

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

RULE 40.1. Limitation on introduction and consideration of resolutions and bills. – The only resolutions that may be introduced or considered in the Senate are resolutions establishing the rules governing the Second Extra Session and adjourning the Second Extra Session sine die. The only bills, parts of bills, or amendments to bills that may be introduced or considered in the Senate are bills, parts of bills, or amendments to bills proposing amendments to the North Carolina Constitution.

RULE 41. (Reserved).

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

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

RULE 45.1. Action on amendment or committee substitute. – If any committee recommends adoption of an amendment or committee substitute of a bill or resolution, the amendment or committee substitute shall be considered adopted upon the reading of the committee report. The bill or resolution, as amended, or its adopted committee substitute may be placed on the calendar for the same legislative day or re-referred if the bill or resolution was serially referred. The committee substitute's original bill or resolution shall lie on the table.

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

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

RULE 59. (Reserved).

SECTION 2. This resolution is effective upon adoption.

Upon motion of Senator Rabon, the Senate Resolution is adopted, ayes 27, noes 2, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Berger, Bishop, Britt, Cook, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, B. Jackson, Krawiec, McInnis, Meredith, Newton, Rabin, Rabon, Randleman, Sanderson, Sawyer, Tillman, Wade and Wells---27.

Voting in the negative: Senators Clark and Waddell---2.

MESSAGE TO THE HOUSE OF REPRESENTATIVES

The Chair directs the Principal Clerk to send a message to the House of Representatives informing that honorable body that the Senate is now organized and ready to proceed with the business for which it has been reconvened.

The Chair grants leaves of absence for today to Senator Barrett, Senator Barringer, Senator Blue, Senator J. Davis, Senator Fitch, Senator Foushee, Senator Horner, Senator J. Jackson, and Senator Pate.

Without objection, the Chair orders that the leaves of absence apply to the vote on S.R. 1.

Upon motion of Senator Rabon, seconded by Senator Harrington, the Senate adjourns at 9:12 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, August 27, at 2:00 p.m.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives August 24, 2018

Mr. President:

It is ordered that a message be sent to your honorable body with the information that the House is convened, pursuant to the Joint Proclamation issued by the President of the Senate and the Speaker of the House of Representatives on August 23, 2018, and is now organized and ready to proceed with the public business of the State in Extra Session.

Respectfully, S/ James White Principal Clerk

INTRODUCTION OF BILLS

SENATE JOURNAL

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

By Senators Clark (Primary Sponsor) and Ford:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LITERACY REQUIREMENT TO REGISTER TO VOTE CONTAINED IN SECTION 4 OF ARTICLE VI OF THE NORTH CAROLINA CONSTITUTION.

Referred to the Rules and Operations of the Senate Committee.

By Senator Clark:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROPOSED CONSTITUTIONAL AMENDMENT MODIFYING THE MAXIMUM TAX RATE ON INCOMES AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM STATE SALES AND USE TAX RATE, NOT INCLUDING AUTHORIZED LOCAL SALES AND USE TAXES AND NOT INCLUDING OTHER TAXES IMPOSED BY THE STATE, CANNOT EXCEED SIX PERCENT.

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.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION.

Referred to the Rules and Operations of the Senate Committee.

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE COMMISSIONS NONPARTISAN JUDICIAL MERIT FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION.

Referred to the Rules and Operations of the Senate Committee.

H.B. 4, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

Referred to the Rules and Operations of the Senate Committee.

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

SECOND DAY

Senate Chamber Monday, August 27, 2018

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 Norman W. Sanderson, Senator from Pamlico County, as follows:

"I'd like to read from Micah 6:8. In this scripture, there are two questions asked: What is good, and what does the Lord require? This is the answer: 'The Lord requires of thee to do justly, to love mercy, and to walk humbly with your God.' Father, those three things that you require of us are sometimes not the easiest things for us to do. God, we pray for your mercy and your grace as we walk each day and try to uphold these commandments from you. Lord, we know we can't do it on our own. God, if you will help us, we will do the very best that we can. Lord, we thank you and we praise you. In Jesus' name, Amen."

Senator Pate, Deputy President *Pro Tempore*, announces that the Senate Journal of Friday, August 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 leaves of absence for today to Senator Barringer, Senator Cook, Senator J. Davis, and Senator Randleman.

REPORT OF COMMITTEE

A standing committee report is submitted as follows:

By Senator Rabon for the Rules and Operations of the Senate Committee:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION, with a favorable report.

Pursuant to Senate Rule 43.1, the bill is placed on today's calendar.

H.B. 4, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT, with a favorable report.

Pursuant to Senate Rule 43.1, the bill is placed on today's calendar.

The Senate recesses at 2:09 p.m. to reconvene at 2:15 p.m.

RECESS

The Senate meets pursuant to recess and is called to order by Senator Berger, President *Pro Tempore*.

CALENDAR

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

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION, upon second reading.

Senator Chaudhuri offers Amendment No. 1.

Senator Rabon moves that Amendment No. 1 do lie upon the table, seconded by Senator Gunn, which motion prevails (32-13).

Senator McKissick offers Amendment No. 2.

Senator Rabon moves that Amendment No. 2 do lie upon the table, seconded by Senator Gunn, which motion prevails (32-13).

Senator J. Jackson offers Amendment No. 3.

Senator Rabon moves that Amendment No. 3 do lie upon the table, seconded by Senator Gunn, which motion prevails (32-13).

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

The bill passes its second reading by a three-fifths majority vote, ayes 32, noes 13, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barrett, Berger, Bishop, Britt, Brown, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, Horner, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Sanderson, Sawyer, Tarte, Tillman, Tucker, Wade and Wells---32.

Voting in the negative: Senators Chaudhuri, Clark, D. Davis, Fitch, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Van Duyn, Waddell and Woodard---13.

The bill is read a third time and passes its third reading by a three-fifths majority vote, ayes 32, noes 13, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barrett, Berger, Bishop, Britt, Brown, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, Horner, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Sanderson, Sawyer, Tarte, Tillman, Tucker, Wade and Wells---32.

Voting in the negative: Senators Chaudhuri, Clark, D. Davis, Fitch, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Van Duyn, Waddell and Woodard---13.

The bill is ordered enrolled.

H.B. 4, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT, upon second reading.

Senator J. Jackson offers Amendment No. 1.

Senator Rabon moves that Amendment No. 1 do lie upon the table, seconded by Senator Gunn, which motion prevails (32-13).

Upon the appearance of Senator Blue in the chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

The bill passes its second reading by a three-fifths majority vote, ayes 32, noes 14, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barrett, Berger, Bishop, Britt, Brown, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, Horner, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Sanderson, Sawyer, Tarte, Tillman, Tucker, Wade and Wells---32.

Voting in the negative: Senators Blue, Chaudhuri, Clark, D. Davis, Fitch, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Van Duyn, Waddell and Woodard---14.

The bill is read a third time and passes its third reading by a three-fifths majority vote, ayes 32, noes 14, as follows:

Voting in the affirmative: Senators Alexander, Ballard, Barefoot, Barrett, Berger, Bishop, Britt, Brown, Daniel, Dunn, Edwards, Ford, Gunn, Harrington, Hise, Horner, B. Jackson, Krawiec, Lee, McInnis, Meredith, Newton, Pate, Rabin, Rabon, Sanderson, Sawyer, Tarte, Tillman, Tucker, Wade and Wells---32.

Voting in the negative: Senators Blue, Chaudhuri, Clark, D. Davis, Fitch, Foushee, J. Jackson, Lowe, McKissick, Robinson, Smith, Van Duyn, Waddell and Woodard---14.

The bill is ordered enrolled.

WITHDRAWAL FROM COMMITTEE

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION, referred to the **Rules and Operations of the Senate Committee** on August 24.

Pursuant to Rule 47(a), Senator Rabon offers a motion that the Joint Resolution be withdrawn from the **Rules and Operations of the Senate Committee** and placed on today's calendar, which motion prevails without objection, and the Chair so orders.

CALENDAR (continued)

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION, upon second reading.

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

The Joint Resolution passes its second reading (36-7) and is read a third time and passes its third reading and is ordered enrolled.

POINTS OF PERSONAL PRIVILEGE

Upon motion of Senator Smith, the words spoken in honor of Senator John McCain are spread upon the Journal, as follows:

WOODARD: "Mr. President, if I could request of the Chair or Senator Pate if we could adjourn in honor of a great American and a true patriot, Senator John McCain."

SENATOR SMITH: "At 4:28 p.m. on Saturday, August 25, a great American hero, Senator John Sydney McCain III, passed away. I was most impressed with Senator McCain, as he took a difficult position to stand firm to advocate for right, whether it was from the right or whether it was from the left. He challenged his colleagues with words following the Charlottesville riots of last year. In his words, he said, 'There is nothing in their hate-driven racism that can match the strength of a nation conceived in liberty and comprising 323 million souls of different origins and opinions, who are equal under the law...We are the country that led the free world to victory over fascism and dispatched communism to the ash heap of history. We are the superpower that organized not an empire, but an international order of free, independent nations that has liberated more people from poverty and tyranny than anyone thought possible in the age of [colonialism],' and I will end with this: 'We seem [to be] convinced that majorities exist to impose their will with few concessions and that minorities exist to prevent the party in power from doing anything important. That's not how we were meant to govern. Our entire system of government—with its checks and balances, its bicameral Congress, its protections of the rights of the minority was designed for compromise. It seldom works smoothly or speedily. It was never expected to. It requires pragmatic problem solving from even the most passionate partisans. It relies on compromise between opposing sides to protect the interests that we share. We can fight like hell for our ideas to prevail. But we have to respect each other, or at least respect the fact that we need each other.' My school system opened today, and I was very excited—the band, the students, the teachers, all of us there, knowing that we have a common interest, and that is to build productive citizens. I rushed from convocation and opening day celebrations to come here to the General Assembly. I am so tired of coming to a place where I feel that my vote does not matter and that I'm constantly going to be outnumbered and, what's even worse, not even heard. We've done a disservice, but I do ask that we adjourn, and that the words be spread upon the journal, in honor of Senator of McCain, and that may his words from last year inspire us today to do better to govern together as we were elected to do."

Senator Pate offers a motion that, in accordance with **H.J.R. 2**, the Senate do adjourn *sine die*, in memory of the late Senator John McCain, subject to the standard stipulations set forth in Senate Rule 24.1, the ratification of bills, and the receipt of messages from the House of Representatives, seconded by Senator Smith, which motion prevails.

The President *Pro Tempore* declares the Senate of the 2017 General Assembly, sitting in Second Extra Session 2018, adjourned *sine die*.

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. 3, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION.
- **H.B. 4,** AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.

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

H.J.R. 2, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION. (Res. 2018-12)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives August 27, 2018

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 2018 Second Extra Session of the 2017 General Assembly and pursuant to **H.J.R. 2** (1st Edition), A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 SECOND EXTRA SESSION, stands ready to adjourn sine die.

Respectfully, S/ James White 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. 3, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR NONPARTISAN JUDICIAL MERIT COMMISSIONS FOR THE NOMINATION AND RECOMMENDATION OF NOMINEES WHEN FILLING VACANCIES IN THE OFFICE OF JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE AND TO MAKE OTHER CONFORMING CHANGES TO THE CONSTITUTION. (Became law upon ratification, August 27, 2018 S.L. 2018-132)
- **H.B. 4**, AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH A BIPARTISAN BOARD OF ETHICS AND ELECTIONS ENFORCEMENT. (Became law upon ratification, August 27, 2018 S.L. 2018-133)

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

DANIEL J. FOREST President of the Senate

SARAH LANG HOLLAND Principal Clerk

APPENDIX SENATE JOURNAL 2017 SESSION

SECOND EXTRA SESSION 2018

SENATE COMMITTEE ASSIGNMENTS **SECOND EXTRA SESSION 2018**

A listing of the Senate Committee assignments for the 2018 Second Extra Session, as outlined in the Senate Rules adopted for the 2018 Second Extra Session, can be found in the Appendix of the Senate Journal for the 2017 General Assembly, Second Session 2018.

SENATE STAFF

OFFICE OF THE PRESIDENT

Lieutenant Governor Daniel J. Forest Blake Brewer Policy and Press Assistant

Project Manager Guy Davidson Press Secretary and Jamey Falkenbury **Director of Operations**

Danielle Jordan Manager of External Relations and

Assistant to the Chief of Staff

Steven Walker General Counsel and Policy Director

Hal Weatherman Chief of Staff

OFFICE OF THE PRESIDENT PRO TEMPORE

Philip E. Berger President Pro Tempore

Communications and Operations

Pat Berger Research Assistant

Shelly Carver **Deputy Communications Director**

Bill D'Elia Communications Advisor

Peggy Halifax Research Assistant

Director of Boards and Commissions Darrell Malcolm

and Special Assistant

Policy Advisor Eric Naisbitt

Stephen Ogden Communications and

Policy Advisor

Senior Policy Advisor Tom Reeder

Katherine Restrepo Policy Advisor

Pat Ryan Deputy Chief of Staff for

Communications and Operations

Erica Shrader Deputy Chief of Staff for Policy

Legislative Assistant Wanda Shivers Chief of Staff and Andrew Tripp General Counsel

Policy Advisor

Carly Weaver

Director of Scheduling and Graham Whitaker

Special Projects

OFFICE OF THE DEPUTY PRESIDENT PRO TEMPORE

Louis Pate Deputy President *Pro Tempore*

Leigh Ann Biddix Legislative Assistant

OFFICE OF THE SENATE MAJORITY LEADER

Harry Brown Majority Leader
Lorie Byrd Legislative Assistant
Sally-Ann Gupta Legislative Advisor
Kolt Ulm Appropriations Advisor

OFFICE OF THE SENATE DEMOCRATIC LEADER

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Michael Bardus Bardus

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SENATE LEGISLATIVE STAFF

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SENATE LEGISLATIVE STAFF (continued)

Senator Sanderson Linda Sanderson Libby Spain Senator McInnis James Spivey Senator Foushee Joey Stansbury Senator Tucker Lynn Tennant Senator Sawyer William Verbiest Senator Ballard Kathy Voss Senator Sanderson Linda Wente Senator Wells Brent Woodcox Senator Tucker John Wynne Senator Bishop

SENATE INTERNS

Senator Tillman Jenna Albert Senator Fitch Lauren Bennett Heath Boyd Senator Meredith Jeffrey Dobson Senator McInnis John Ferebee Senator Cook Autumn Fulton Senator Robinson James Furr Senator Brown Clarissa Greene Senator Waddell Derrick Hunter Senator Blue Molly Jordan Senator J. Jackson Paulina Lopez Senator Fitch Christian Lunghi **Senator Harrington** Sophia McMahan Senator Tucker Anastasia Mebane Senator Ford Laura Medlin Senator Barringer Senator Smith Karalee Miller Ellis Mobley Senator Brown Jarrett Patrick Senator Lowe Nathaniel Roberts Senator Daniel Lexus Shaw Senator D. Davis Asia Skyers Senator Blue Catrina Spagnualo Senator J. Davis Jim Stirling Senator Berger Bryan Sumner Senator Lowe Nathan Swaim Senator Sanderson Allison Tannenbaum Senator Lowe William Walker Senator Randleman Michael Welker Senator J. Jackson Olivia Wingler Senator Krawiec Nicholas Zanzot Senator Tarte

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The last action on each bill is noted in parenthesis following the title. The committee listed refers to the standing committee to which the bill was last referred. If the bill became law, the 2018 Session Law or Resolution number is reflected.

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	(Rules and Operations of the Senate Com)	10.
S 3	Modify Constitutional Tax Rate Caps.	
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	HOUSE BILLS	
H 2	Adjourn 2018 2nd Extra Session Sine Die	
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H 3	Nonpartisan Judicial Merit Commission	
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ALEXANDER COUNTY —District 42—Senator Andy Wells
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ALLEGHANY COUNTY—District 45—Senator Deanna Ballard
ANSON COUNTY—District 25—Senator Tom McInnis
ASHE COUNTY—District 45—Senator Deanna Ballard
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$BAREFOOT, SENATOR\ CHAD18 th\ District\\ Franklin,\ Wake\ (part).$
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BARRINGER, SENATOR TAMARA 17th District—Wake (part). Absences, Excused
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BERGER, SENATOR PHILIP E. (President <i>Pro Tempore</i>)
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BERTIE COUNTY —District 3—Senator Erica D. Smith
$BISHOP, SENATOR\ DAN\39 th\ District-Mecklenburg\ (part).$

BLADEN COUNTY—District 8—Senator Bill Rabon

BRITT, SENATOR DANNY EARL, JR.13th District—Columbus, Robeson.

BROWN, SENATOR HARRY6th District—Jones, Onslow.

BRUNSWICK COUNTY—District 8—Senator Bill Rabon

BUNCOMBE COUNTY—District 48—Senator Chuck Edwards
District 49—Senator Terry Van Duyn

BURKE COUNTY—District 46—Senator Warren Daniel

CABARRUS COUNTY—District 36—Senator Paul Newton

CALDWELL COUNTY—District 45—Senator Deanna Ballard

CAMDEN COUNTY—District 1—Senator Bill Cook

CARTERET COUNTY—District 2—Senator Norman W. Sanderson

CASWELL COUNTY—District 22—Senator Mike Woodard

CATAWBA COUNTY—District 42—Senator Andy Wells

CHATHAM COUNTY—District 23—Senator Valerie P. Foushee

CHAUDHURI, SENATOR JAY J.16th District—Wake (part).

CHEROKEE COUNTY—District 50—Senator Jim Davis

CHOWAN COUNTY—District 3—Senator Erica D. Smith

CLAY COUNTY—District 50—Senator Jim Davis

CLEVELAND COUNTY—District 46—Senator Warren Daniel

COLUMBUS COUNTY—District 13—Senator Danny Earl Britt, Jr.

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DUPLIN COUNTY —District 10—Senator Brent Jackson	

GOVERNOR (The Honorable Roy Cooper)

GRAHAM COUNTY—District 50—Senator Jim Davis

GRANVILLE COUNTY —District 20—Senator Floyd B. McKissick, Jr.
GREENE COUNTY—District 5—Senator Don Davis
GUILFORD COUNTY—District 26—Senator Philip E. Berger District 27—Senator Trudy Wade District 28—Senator Gladys A. Robinson
GUNN, SENATOR RICK24th District—Alamance, Randolph (part).
HALIFAX COUNTY—District 4—Senator Milton F. "Toby" Fitch, Jr.
HARNETT COUNTY—District 12—Senator Ronald J. Rabin
HARRINGTON, SENATOR KATHY43rd District—Gaston (part).
HAYWOOD COUNTY—District 50—Senator Jim Davis
HENDERSON COUNTY—District 48—Senator Chuck Edwards
HERTFORD COUNTY—District 3—Senator Erica D. Smith
HISE, SENATOR RALPH
HOKE COUNTY—District 21—Senator Ben Clark
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JACKSON COUNTY—District 50—Senator Jim Davis
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JONES COUNTY—District 6—Senator Harry Brown

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LEE COUNTY—District 12—Senator Ronald J. Rabin

LEE, SENATOR MICHAEL V.9th District—New Hanover (part).

LENOIR COUNTY—District 5—Senator Don Davis District 7—Senator Louis Pate

LINCOLN COUNTY—District 44—Senator Vickie Sawyer

LOWE, SENATOR PAUL A., JR.32nd District—Forsyth (part).

MACON COUNTY—District 50—Senator Jim Davis

MADISON COUNTY—District 47—Senator Ralph Hise

MARTIN COUNTY—District 3—Senator Erica D. Smith

MCDOWELL COUNTY—District 47—Senator Ralph Hise

MCINNIS, SENATOR TOM......25th District—Anson, Richmond, Rowan (part), Scotland, Stanly.

MCKISSICK, SENATOR FLOYD B., JR. 20th District—Durham (part),
Granville.

MECKLENBURG COUNTY—District 37—Senator Jeff Jackson

District 38—Senator Joel D. M. Ford

District 39—Senator Dan Bishop

District 40—Senator Joyce Waddell

District 41—Senator Jeff Tarte

MEREDITH, SENATOR WESLEY 19th District—Cumberland (part).

MITCHELL COUNTY—District 47—Senator Ralph Hise

MONTGOMERY COUNTY—District 33—Senator Cathy Dunn

MOORE COUNTY—District 29—Senator Jerry W. Tillman

NASH COUNTY—District 4—Senator Milton F. "Toby" Fitch, Jr. District 11—Senator Rick Horner
NEW HANOVER COUNTY—District 8—Senator Bill Rabon District 9—Senator Michael V. Lee
NEWTON, SENATOR PAUL 36th District—Cabarrus, Union (part).
NORTHAMPTON COUNTY—District 3—Senator Erica D. Smith
ONSLOW COUNTY—District 6—Senator Harry Brown
ORANGE COUNTY —District 23—Senator Valerie P. Foushee
PAMLICO COUNTY—District 2—Senator Norman W. Sanderson
PASQUOTANK COUNTY—District 1—Senator Bill Cook
PATE, SENATOR LOUIS M. (Deputy President <i>Pro Tempore</i>)
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PRESIDENT OF THE SENATE (The Honorable Daniel J. Forest, Lieutenant Governor)
PRESIDENT <i>PRO TEMPORE</i> (Senator Philip E. Berger) Appointments (see Appendix, Second Session 2018)

Surry, Wilkes.

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RICHMOND COUNTY—District 25—Senator Tom McInnis

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ROBINSON, SENATOR GLADYS A.28th District—Guilford (part).

ROCKINGHAM COUNTY—District 26—Senator Philip E. Berger

ROWAN COUNTY—District 25—Senator Tom McInnis District 34—Senator Dan Barrett

RUTHERFORD COUNTY—District 47—Senator Ralph Hise

SAMPSON COUNTY—District 10—Senator Brent Jackson

SANDERSON, SENATOR NORMAN W.2nd District—Carteret, Craven, Pamlico.

SAWYER, SENATOR VICKIE 44th District—Gaston (part), Iredell (part), Lincoln.

SCOTLAND COUNTY—District 25—Senator Tom McInnis

SERGEANT-AT-ARMS (Philip King III)

SMITH, SENATOR ERICA D3rd District—Bertie, Chowan, Edgecombe, Hertford, Martin, Northampton, Tyrrell, Washington.
Remarks Spread— Honoring Senator John McCain
STANLY COUNTY—District 25—Senator Tom McInnis
STOKES COUNTY—District 30—Senator Shirley B. Randleman
SURRY COUNTY—District 30—Senator Shirley B. Randleman
SWAIN COUNTY—District 50—Senator Jim Davis
TARTE, SENATOR JEFF 41st District—Mecklenburg (part).
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TUCKER, SENATOR TOMMY35th District—Union (part).
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UNION COUNTY—District 35—Senator Tommy Tucker District 36—Senator Paul Newton
VAN DUYN, SENATOR TERRY 49th District—Buncombe (part).
VANCE COUNTY—District 4—Senator Milton F. "Toby" Fitch, Jr.
WADDELL, SENATOR JOYCE40th District—Mecklenburg (part).
WADE, SENATOR TRUDY27th District—Guilford (part).
WAKE COUNTY—District 14—Senator Dan Blue District 15—Senator John M. Alexander, Jr. District 16—Senator Jay J. Chaudhuri District 17—Senator Tamara Barringer District 18—Senator Chad Barefoot

WARREN COUNTY—District 4—Senator Milton F. "Toby" Fitch, Jr.
WASHINGTON COUNTY—District 3—Senator Erica D. Smith
WATAUGA COUNTY—District 45—Senator Deanna Ballard
WAYNE COUNTY—District 5—Senator Don Davis District 7—Senator Louis Pate
WELLS, SENATOR ANDY42nd District—Alexander, Catawba
WILKES COUNTY—District 30—Senator Shirley B. Randleman
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