

**JOURNAL**  
**OF THE**  
**House of Representatives**  
**OF THE**  
**2001**  
**GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF NORTH CAROLINA**  
  
**FIRST**  
**SESSION 2001**  
  
**VOLUME 1**

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# OFFICERS AND MEMBERS

## OF THE

# HOUSE OF REPRESENTATIVES

### FIRST SESSION 2001

James B. Black, *Speaker* ..... Matthews, Mecklenburg County  
 Joe Hackney, *Speaker Pro Tempore* ..... Chapel Hill, Orange County  
 Denise G. Weeks, *Principal Clerk* ..... Willow Springs, Wake County  
 Robert R. Samuels, *Sergeant-at-Arms* ..... Charlotte, Mecklenburg County

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#### REPRESENTATIVES

- 1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).  
 William C. Owens, Jr. (D)..... Pasquotank..... Elizabeth City
- 2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).  
 Zeno L. Edwards, Jr. (D)..... Beaufort ..... Washington
- 3rd District: (1) Craven (Part), Pamlico (Part).  
 Alice Graham Underhill (D)..... Craven..... New Bern
- 4th District: (2) Carteret, Onslow (Part).  
 Jean R. Preston (R)..... Carteret ..... Emerald Isle  
 Ronald L. Smith (D)..... Carteret ..... Newport
- 5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.  
 Howard J. Hunter, Jr. (D)..... Northampton ..... Murfreesboro
- 6th District: (1) Bertie (Part), Hertford (Part), Martin (Part), Pitt (Part),  
 Washington (Part).  
 R. Eugene Rogers (D) ..... Martin ..... Williamston
- 7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).  
 John D. Hall (D)..... Halifax ..... Scotland Neck
- 8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).  
 Edith D. Warren (D)..... Pitt..... Farmville
- 9th District: (1) Greene (Part), Pitt (Part).  
 Marian N. McLawhorn (D) ..... Pitt..... Grifton

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).  
 Russell E. Tucker (D)..... Duplin .....Pink Hill

11th District: (1) Lenoir (Part), Wayne (Part).  
 Philip A. Baddour, Jr. (D) ..... Wayne ..... Goldsboro

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).  
 Nurham O. Warwick (D)..... Sampson..... Clinton

13th District: (1) New Hanover (Part).  
 Daniel F. McComas (R) ..... New Hanover ..... Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part),  
 Robeson (Part).  
 Dewey L. Hill (D) ..... Columbus..... Whiteville  
 E. David Redwine (D)..... Brunswick.....Ocean Isle Beach

15th District: (1) Wake (Part).  
 J. Samuel Ellis (R)..... Wake ..... Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part), Robeson (Part),  
 Scotland (Part).  
 Douglas Y. Yongue (D) ..... Scotland ..... Laurinburg

17th District: (2) Cumberland (Part).  
 Marvin W. Lucas (D) ..... Cumberland.....Spring Lake  
 Mary E. McAllister (D)..... Cumberland.....Fayetteville

18th District: (2) Cumberland (Part).  
 John W. Hurley (D)..... Cumberland.....Fayetteville  
 Mia Morris (R)..... Cumberland.....Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).  
 A. Leslie Cox, Jr. (D) ..... Lee .....Sanford  
 Donald S. Davis (R) ..... Harnett ..... Erwin

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).  
 Billy J. Creech (R)..... Johnston .....Clayton

21st District: (1) Wake (Part).  
 Daniel T. Blue, Jr. (D)..... Wake ..... Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person,  
 Vance (Part), Warren (Part).  
 Gordon P. Allen (D)..... Person ..... Roxboro  
 James W. Crawford, Jr. (D)..... Granville ..... Oxford

## 23rd District: (3) Durham (Part).

Paul Luebke (D)..... Durham ..... Durham  
 Henry M. Michaux, Jr. (D)..... Durham ..... Durham  
 Paul Miller (D)..... Durham ..... Durham

## 24th District: (2) Chatham (Part), Orange (Part).

Joe Hackney (D)..... Orange ..... Chapel Hill  
 Verla C. Insko (D)..... Orange ..... Chapel Hill

## 25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).

Cary D. Allred (R)..... Alamance ..... Burlington  
 E. Nelson Cole (D)..... Rockingham ..... Reidsville  
 W. B. Teague, Jr. (R) ..... Alamance ..... Liberty

## 26th District: (1) Guilford (Part).

Alma S. Adams (D)..... Guilford ..... Greensboro

## 27th District: (1) Davidson (Part), Guilford (Part).

John M. Blust (R)..... Guilford ..... Greensboro

## 28th District: (1) Guilford (Part).

Flossie Boyd-McIntyre (D) ..... Guilford ..... Jamestown

## 29th District: (1) Guilford (Part).

Joanne W. Bowie (R)..... Guilford ..... Greensboro

## 30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).

Arlie F. Culp (R)..... Randolph..... Ramseur

## 31st District: (1) Moore (Part).

Richard T. Morgan (R)..... Moore..... Eagle Springs

## 32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).

G. Wayne Goodwin (D) ..... Richmond..... Rockingham

## 33rd District: (1) Anson, Montgomery (Part), Stanly (Part).

Pryor A. Gibson, III (D)..... Montgomery ..... Troy

## 34th District: (1) Union (Part).

Fern Shubert (R)..... Union ..... Marshville

## 35th District: (1) Rowan (Part).

Lorene T. Coates (D)..... Rowan..... Salisbury

## 36th District: (1) Mecklenburg (Part).

James B. Black (D) ..... Mecklenburg ..... Matthews

37th District: (1) Davidson (Part).  
L. Hugh Holliman (D)..... Davidson.....Lexington

38th District: (1) Guilford (Part), Randolph (Part).  
Harold J. Brubaker (R)..... Randolph.....Asheboro

39th District: (1) Forsyth (Part).  
Lyons Gray (R) ..... Forsyth.....Winston-Salem

40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.  
Rex L. Baker (R)..... Stokes..... King  
William S. Hiatt (R) ..... Surry ..... Mt. Airy  
W. Eugene Wilson (R)..... Watauga.....Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.  
George M. Holmes (R)..... Yadkin ..... Hamptonville  
R. Tracy Walker (R)..... Wilkes.....Wilkesboro

42nd District: (1) Iredell (Part).  
W. Franklin Mitchell (R)..... Iredell..... Olin

43rd District: (1) Catawba (Part), Iredell (Part).  
Mitchell S. Setzer (R)..... Catawba ..... Catawba

44th District: (1) Gaston (Part), Lincoln (Part).  
Daniel W. Barefoot (D)..... Lincoln.....Lincolnton

45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).  
Mark Hilton (R) ..... Catawba ..... Conover  
Joe L. Kiser (R)..... Lincoln.....Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.  
Charles F. Buchanan (R) ..... Mitchell..... Green Mountain  
Gregory J. Thompson (R)..... Mitchell..... Spruce Pine

47th District: (1) Burke (Part).  
Walter G. Church, Sr. (D)..... Burke ..... Valdese

48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.  
Debbie A. Clary (R) ..... Cleveland..... Cherryville  
Andrew T. Dedmon (D) ..... Cleveland.....Earl  
John H. Weatherly (R) ..... Cleveland..... Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.  
Mitch Gillespie (R) ..... McDowell ..... Marion

50th District: (1) Henderson (Part), Polk (Part).

Larry T. Justus (R) ..... Henderson ..... Hendersonville

51st District: (3) Buncombe (Part).

Lanier M. Cansler (R) ..... Buncombe ..... Asheville

Martin L. Nesbitt, Jr. (D) ..... Buncombe ..... Asheville

Wilma M. Sherrill (R) ..... Buncombe ..... Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.

Margaret "Marge" Carpenter (R) Haywood ..... Waynesville

R. Phillip Haire (D) ..... Jackson ..... Sylva

53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.

Roger West (R) ..... Cherokee ..... Marble

54th District: (1) Mecklenburg (Part).

Drew P. Saunders (D) ..... Mecklenburg ..... Huntersville

55th District: (1) Mecklenburg (Part).

W. Edwin McMahan (R) ..... Mecklenburg ..... Charlotte

56th District: (1) Mecklenburg (Part).

Martha B. Alexander (D) ..... Mecklenburg ..... Charlotte

57th District: (1) Mecklenburg (Part).

Constance K. Wilson (R) ..... Mecklenburg ..... Charlotte

58th District: (1) Mecklenburg (Part).

Ruth M. Easterling (D) ..... Mecklenburg ..... Charlotte

59th District: (1) Mecklenburg (Part).

W. Pete Cunningham (D) ..... Mecklenburg ..... Charlotte

60th District: (1) Iredell (Part), Mecklenburg (Part).

Beverly M. Earle (D) ..... Mecklenburg ..... Charlotte

61st District: (1) Wake (Part).

Art Pope (R) ..... Wake ..... Raleigh

62nd District: (1) Wake (Part).

David M. Miner (R) ..... Wake ..... Cary

63rd District: (1) Durham (Part), Wake (Part).

Jennifer Weiss (D) ..... Wake ..... Cary

- 64th District: (1) Wake (Part).  
Robert J. Hensley, Jr. (D)..... Wake..... Raleigh
- 65th District: (1) Wake (Part).  
Rick Eddins (R)..... Wake..... Raleigh
- 66th District: (1) Forsyth (Part).  
Larry W. Womble (D)..... Forsyth..... Winston-Salem
- 67th District: (1) Forsyth (Part).  
Warren C. Oldham (D)..... Forsyth..... Winston-Salem
- 68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.  
Trudi Walend (R)..... Transylvania ..... Brevard
- 69th District: (1) Mecklenburg (Part).  
Jim Gulley (R)..... Mecklenburg ..... Matthews
- 70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).  
Milton F. Fitch, Jr. (D)..... Wilson..... Wilson
- 71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).  
Joe P. Tolson (D)..... Edgecombe ..... Pinetops
- 72nd District: (1) Nash (Part), Wilson (Part).  
Gene G. Arnold (R)..... Nash ..... Rocky Mount
- 73rd District: (1) Forsyth (Part), Rockingham (Part).  
P. Wayne Sexton, Sr. (R) ..... Rockingham..... Stoneville
- 74th District: (1) Davidson (Part), Davie.  
Julia Craven Howard (R)..... Davie..... Mocksville
- 75th District: (1) Cumberland (Part).  
Alex Warner (D) ..... Cumberland..... Hope Mills
- 76th District: (1) Gaston (Part), Mecklenburg (Part).  
Michael Harrington (R)..... Gaston..... Gastonia
- 77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).  
Carolyn B. Russell (R) ..... Wayne..... Goldsboro
- 78th District: (1) Granville (Part), Vance (Part), Warren (Part).  
Stanley H. Fox (D) ..... Granville ..... Oxford



- 79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).  
 William L. Wainwright (D)..... Craven..... Havelock
- 80th District: (1) Onslow (Part).  
 W. Robert Grady (R)..... Onslow..... Jacksonville
- 81st District: (1) Cabarrus (Part), Union (Part).  
 Jeff Barnhart (R) ..... Cabarrus..... Concord
- 82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).  
 Bobby H. Barbee, Sr. (R) ..... Stanly ..... Locust
- 83rd District: (1) Rowan (Part).  
 W. Eugene McCombs (R) ..... Rowan..... Faith
- 84th District: (1) Forsyth (Part), Guilford (Part).  
 Michael P. Decker (R)..... Forsyth..... Walkertown
- 85th District: (1) Hoke (Part), Robeson (Part).  
 Ronnie N. Sutton (D) ..... Robeson ..... Pembroke
- 86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).  
 William T. Culpepper, III (D) ..... Chowan ..... Edenton
- 87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).  
 Donald A. Bonner (D)..... Robeson ..... Rowland
- 88th District: (1) Forsyth (Part).  
 Theresa H. Esposito (R) ..... Forsyth..... Winston-Salem
- 89th District: (2) Guilford (Part).  
 Mary L. Jarrell (D) ..... Guilford ..... High Point  
 Maggie M. Jeffus (D) ..... Guilford ..... Greensboro
- 90th District: (1) Cabarrus (Part).  
 Linda P. Johnson (R)..... Cabarrus..... Kannapolis
- 91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).  
 Edgar V. Starnes (R) ..... Caldwell..... Granite Falls
- 92nd District: (1) Durham (Part), Wake (Part).  
 J. Russell Capps (R) ..... Wake..... Raleigh
- 93rd District: (1) Gaston (Part), Mecklenburg (Part).  
 John M. Rayfield (R)..... Gaston..... Belmont

94th District: (1) Davidson (Part), Randolph (Part).  
 Jerry C. Dockham (R) ..... Davidson ..... Denton

95th District: (1) Johnston (Part).  
 N. Leo Daughtry (R) ..... Johnston ..... Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part),  
 Pender (Part), Sampson (Part).  
 Edd Nye (D) ..... Bladen ..... Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).  
 Larry M. Bell (D) ..... Sampson ..... Clinton

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover (Part),  
 Pender (Part).  
 Thomas E. Wright (D) ..... New Hanover ..... Wilmington

# HOUSE JOURNAL

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## SESSION 2001

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### FIRST DAY

HOUSE OF REPRESENTATIVES  
Wednesday, January 24, 2001

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the Members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Denise G. Weeks, Principal Clerk of the 1999 House of Representatives.

The following prayer is offered by Dr. Ken Lyon, Matthews United Methodist Church, Matthews, North Carolina.

"It is with thanksgiving that we come to this place, O God. We have been entrusted with leadership by our fellow citizens. It is both honor and privilege weighted with great responsibility.

"The work done within these historic walls reaches into the lives of our citizens and the hearts of our communities.

"May we lead with vision beyond personal agendas and toward the good of all.

"May our conversation and debate be spirited and fair, united in common cause even when divided on the issues.

"As servant/leaders we recognize that there are no perfect plans and that we are by no means perfect people.

"With grace, perseverance and perspective lead us to grapple with complicated issues and limited resources in bold and creative ways.

January 24, 2001

"May we now with humility assume our task of building on our past and embracing our future as You, O God, lead us."

Nicole and Brennan Carpenter, grandchildren of Representative James B. Black, lead the Body in the Pledge of Allegiance.

**CERTIFICATION OF ELECTION  
STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE**

THE 2001 NORTH CAROLINA HOUSE OF REPRESENTATIVES

I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met Tuesday, the 28th day of November, A.D., 2000, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of votes cast in the election held on Tuesday, November 7th, 2000, and certified to me the persons duly elected as members of the House of Representatives from the various Representative Districts comprising of more than one county, and all others have been certified to me in the abstracts by the State Board of Elections as having the highest number of votes cast in the election for the House of Representatives from districts composed of one county only, for the General Assembly of 2001, to wit:

DISTRICT	NAME
First	W. C. (Bill) Owens, Jr.
Second	Zeno L. Edwards
Third	Alice Graham Underhill
Fourth	Ronald L. (Ronnie) Smith Jean R. Preston
Fifth	Howard Hunter, Jr.
Sixth	Gene Rogers
Seventh	John D. Hall

January 24, 2001

Eighth	Edith D. Warren
Ninth	Marian N. McLawhorn
Tenth	Russell E. Tucker
Eleventh	Phil Baddour, Jr.
Twelfth	Nurham Warwick
Thirteenth	Danny McComas
Fourteenth	Dewey L. Hill
	E. David Redwine
Fifteenth	James S. (Sam) Ellis
Sixteenth	Douglas Y. Young
Seventeenth	Marvin W. Lucas
	Mary E. McAllister
Eighteenth	John W. (Bill) Hurley
	Mia Morris
Nineteenth	Leslie Cox
	Don Davis
Twentieth	Billy Creech
Twenty-first	Daniel T. (Dan) Blue, Jr.
Twenty-second	Gordon P. Allen
	Jim Crawford
Twenty-third	Paul Luebke
	H. M. (Mickey) Michaux
	Paul Miller

Twenty-fourth	Joe Hackney
	Verla Insko
Twenty-fifth	Nelson Cole
	Cary D. Allred
	W. B. (Junior) Teague
Twenty-sixth	Alma S. Adams
Twenty-seventh	John M. Blust
Twenty-eighth	Flossie Boyd-McIntyre
Twenty-ninth	Joanne W. Bowie
Thirtieth	Arlie F. Culp
Thirty-first	Richard T. Morgan
Thirty-second	Wayne Goodwin
Thirty-third	Pryor Gibson
Thirty-fourth	Fern Shubert
Thirty-fifth	Lorene T. Coates
Thirty-sixth	James B. (Jim) Black
Thirty-seventh	L. Hugh Holliman
Thirty-eighth	Harold J. Brubaker
Thirty-ninth	Lyons Gray
Fortieth	Rex Baker
	William S. (Bill) Hiatt
	Gene Wilson

Forty-first	George M. Holmes R. Tracy Walker
Forty-second	Frank Mitchell
Forty-third	Mitchell Smith Setzer
Forty-fourth	Daniel W. Barefoot
Forty-fifth	Mark Hilton Joe L. Kiser
Forty-sixth	Charles Monroe Buchanan Gregg Thompson
Forty-seventh	Walter G. Church, Sr.
Forty-eighth	Andy Dedmon Debbie A. Clary John Weatherly
Forty-ninth	Mitch Gillespie
Fiftieth	Larry T. Justus
Fifty-first	Martin L. Nesbitt Lanier Cansler Wilma M. Sherrill
Fifty-second	R. Philip Haire Margaret M. (Marge) Carpenter
Fifty-third	Roger West
Fifty-fourth	Drew Saunders

Fifty-fifth	Ed McMahan
Fifty-sixth	Martha Alexander
Fifty-seventh	Connie Wilson
Fifty-eighth	Ruth M. Easterling
Fifty-ninth	W. Pete Cunningham
Sixtieth	Beverly Earle
Sixty-first	James A. (Art) Pope
Sixty-second	David M. Miner
Sixty-third	Jennifer Weiss
Sixty-fourth	Robert J. (Bob) Hensley, Jr.
Sixty-fifth	Rick L. Eddins
Sixty-sixth	Larry Womble
Sixty-seventh	Warren (Pete) Oldham
Sixty-eighth	Trudi Walend
Sixty-ninth	Jim Gulley
Seventieth	Milton F. (Toby) Fitch, Jr.
Seventy-first	Joe P. Tolson
Seventy-second	Gene Arnold
Seventy-third	Wayne Sexton
Seventy-fourth	Julia C. Howard
Seventy-fifth	Alex Warner
Seventy-sixth	Michael Harrington



Seventy-seventh	Carolyn B. Russell
Seventy-eighth	Stan Fox
Seventy-ninth	William L. Wainwright
Eightieth	Robert Grady
Eighty-first	Jeff Barnhart
Eighty-second	Bobby Harold Barbee, Sr.
Eighty-third	Eugene McCombs
Eighty-fourth	Michael (Mike) Decker
Eighty-fifth	Ronnie Sutton
Eighty-sixth	Bill Culpepper
Eighty-seventh	Donald A. Bonner
Eighty-eighth	Theresa Esposito
Eighty-ninth	Mary Jarrell
	Maggie Jeffus
Ninetieth	Linda P. Johnson
Ninety-first	Edgar V. Starnes
Ninety-second	James R. (Russell) Capps
Ninety-third	John Melvin Rayfield
Ninety-fourth	Jerry C. Dockham
Ninety-fifth	Leo Daughtry
Ninety-sixth	Edd Nye
Ninety-seventh	Larry M. Bell
Ninety-eighth	Thomas E. Wright

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal.

**DONE IN OFFICE** at Raleigh, this 22nd day of January, 2001.

S/ Elaine F. Marshall  
*Secretary of State*

The roll is called and one hundred nineteen Members-elect are present. A leave of absence is granted Representative Womble for today. The Members-elect take and subscribe to the following oath of office, which is administered by Chief Judge Sidney S. Eagles, Jr., North Carolina Court of Appeals.

**OATH FOR MEMBERS OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

The Principal Clerk announces that the first order of business is the election of a Speaker and declares that nominations are in order.

**ELECTION OF OFFICERS**

The Chair recognizes Representative Easterling who places in nomination the name of Representative James B. Black as the Democratic Nominee for the Speaker of the House of Representatives.

"Madam Chair:

"Ladies and Gentlemen

"Young People and Children:

"I welcome you today to this historic convening of the 144<sup>th</sup> General Assembly of North Carolina.

"We take note of a number of new things:

January 24, 2001

"A new century -

A new Governor, Mike Easley

A new Lieutenant Governor, Beverly Perdue

More women at the top levels of State government than ever before

Elaine Marshall - Secretary of State

Meg Phillips - Secretary of Agriculture

Cherie Berry - Secretary of Labor

Judge Sarah Parker - State Supreme Court

Robin Hudson - Court of Appeals

Thirty-two women in General Assembly

"I salute you as duly elected members of the North Carolina House of Representatives.

"All of us got here in the same way -

Someone - a majority of our peers - voted for us!

"No one rates higher than anyone else, unless we elect each other to do so.

"We come together with high purpose and firm resolve.

"To work for the best interests of North Carolina to the best of our ability.

"We won't always agree on

What the best is

Or how to do it -

"But we will in most cases achieve consensus -

Because that is the democratic way.

"So, I stand here today (as I have done before)

to nominate Representative Jim Black

for Speaker of the North Carolina House of Representatives.

"Representative Black is well known as a leader.

He served as your Speaker during the 1999-2000 term.

"He is a man whose character and integrity are well known.

"I promised you two years ago that Jim Black would be truly bipartisan -

That he would preside with a steady gavel

That he would maintain civility and decorum within our ranks -

And he did - even in difficult situations.

"I promised you that as Speaker  
Jim Black would listen to all  
And give every person and every idea a fair hearing -  
He did - and then some!

"I promised you that he would be fair to everyone -  
He was - and then some!

"I promised you the atmosphere in the House  
Would be one of openness  
And respect for each other.

"And it was -

"The Speaker sets the tone.

"As I said in 1999,

"Jim Black knows the value  
of family and community stability and cooperation.

"Now, more than ever

"This House needs a leader for these times -

With a tight economic situation -

With the 2000 Census directing  
Re-districting of the United States Congress  
The North Carolina House and  
The North Carolina Senate

"This House needs a Speaker

"With all the qualities I have enumerated:  
Integrity - Courage - Fairness  
Truth - Dependability - Responsibility

"A Speaker who keeps his word

"Who can make the hard decisions -  
Even the unpopular ones - but fairly.

"Representative Black does not hold a grudge -  
He is not vindictive.

"Now, more than ever

"This House needs a leader for these times.

"I am proud - And it gives me great personal pleasure  
To nominate my fellow Mecklenburger  
Representative Jim Black  
For Speaker of the North Carolina House of Representatives  
For the 2001-2002 terms.

"Thank you!"

The nomination is seconded by Representative Wainwright.

"Madam Chairperson.

"Ladies and Gentlemen of the House:

"It takes a number of skills to preside over this great House of Representatives.

"The Speaker of the House needs the patience of Job, because we surely do get impatient with each other.

"The Speaker needs the listening skills of a minister. Because we take all of our troubles - our political ones, at least - into that office.

"The Speaker must be sympathetic, because that's where we go with our stubbed toes and skinned knees.

"The Speaker must know how to make a deal. Because we are always seeking help with our legislation.

"The Speaker must recognize us as individuals who, like the citizens of our great State, come from different backgrounds, and are of different races.

"But perhaps most important of all, the Speaker must be fair and straightforward.

"When we are on the floor of this great House of Representatives, we are standing in the place of the people who sent us here.

"We are standing here in the place of the farmer, who is busy planning the next growing season. And the factory worker supporting a family, and the teacher molding the minds of our children.

"When we are not allowed to speak, those people back home are silenced. They have no voice.

"When he was elected Speaker two years ago, Jim Black promised us all that he would give all members of this House of Representatives an opportunity to represent the people who sent them here.

"And he followed through on that pledge.

"Some days we wished he would forget about that covenant. We sent him notes begging him to cut off the debate.

"But he wouldn't do it. He wouldn't do it because he told us he would not silence the people representing the farmers and factory workers and teachers.

"Ladies and Gentlemen, Jim Black kept his word.

"It is my honor to second the nomination of the man who knows how to heal our political wounds, who gives us wise counsel when we become lost in the legislative thicket, who never lost his patience with us...

"Jim Black."

The nomination is seconded by Representative Sutton.

"Fellow Members of the House:

"It is my distinct honor and pleasure to have the opportunity to second the nomination of Jim Black for a second term as Speaker of the North Carolina House of Representatives.

"In my four terms in this distinguished Body, I have met and served with some of the finest citizens produced by our great State, -- Jim Black is among the best.

"During his past tenure as Speaker, I found Jim to be honest, fair and responsive to the entire membership, regardless of party affiliation.

"Surely, we all have our individual differences, our own political philosophies, that is to be expected, as North Carolina increasingly becomes a true two party State.

"Given all that, I have found Jim Black to be a great consensus builder, putting the overall interest of the citizens first.

"Based on my personal observations, he has made great efforts to try to satisfy and accommodate every Member of this House. Yet, we all realize that is an impossible task. But, in my humble opinion, Jim Black comes as close to accomplishing this as anyone can.

"A hard worker who respects both sides of the aisle, Jim Black deserves credit for many of the outstanding accomplishments this House attained last term.

"Now he deserves our vote as Speaker, so that he can continue to lead this Body during the challenging and trying times we have before us.

"It is with great pleasure and personal satisfaction that I second the nomination of Representative James B. Black of Mecklenburg County, to be Speaker of the North Carolina House of Representatives.

"Thank you!!"

The Chair recognizes Representative Holmes who places in nomination the name of Representative Daughtry as the Republican Nominee for the Speaker of the House of Representatives.

"Thank you, Madam Chairman:

"It gives me a great deal of pleasure and a distinct honor to place into nomination my seat mate, Representative Leo Daughtry, Johnston County."

Representative Daughtry is recognized and makes the following remarks:

"Madam Chairman:

"If I might address the Members of our Body, let me say that I've been here since 1989. I have served in the minority. I have served in the majority. And, I can say without any equivocation that it is better to serve in the majority than it is in the minority.

"The time has now come for us to look at the issues of our State, put aside those differences that we have carried since the election took place in November and do what is in the best interests of all the people of North Carolina.

"As the Republican leader, I present to this Body fifty-eight well-qualified, very intelligent people that can make a significant difference in the outcome of legislation that we will take up.

"We are in the minority - we are the minority party - but we are determined to be a part of governing this State and we are ready to do so.

"Based on a sense of fairness and a set of Members that are here present, I hereby withdraw my name from nomination."

There being no further nominations, the Principal Clerk declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Black: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Black, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright and Yongue - 117.

Representative Black, having received a majority vote, is declared Speaker of the 2001 House of Representatives.

The Speaker takes and subscribes to the following oath of office administered by Judge Robert C. Hunter, North Carolina Court of Appeals.

**OATH FOR SPEAKER OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I, JAMES B. BLACK, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear

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true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

"I, JAMES B. BLACK, do swear that I will well and truly execute the duties of the office of Speaker according to the best of my skill and ability, according to law; so help me, God."

The Speaker, Representative Black, approaches the dais and makes the following remarks.

"Ladies and Gentlemen of the House.

"Distinguished Visitors and Guests.

"Thank You.

"Thank you for giving me another opportunity to serve you - and all of the people of North Carolina - as Speaker of the North Carolina House of Representatives.

"Thank you, to my family, and especially my wife Betty, for tolerating my nights away from home, the endless telephone calls on the nights I was at home and the occasional intrusions into our private lives.

"I am sure that each of you is thankful to someone for the patience, understanding and support that allow you to be here today. If that person is seated with you on the floor, or sitting in the gallery, turn and give them a 'thank you.'

"I am honored - and humbled - that you have entrusted me with the awesome duties of this job.

"I promise today - just as I did two years ago - that I will do all that is within my power to exercise those duties fairly, faithfully and to the best of my abilities.

"I take the trust of this office very, very seriously, and I will not violate that trust.

"Two years ago, I challenged this House of Representatives to put aside its differences and work together. I called upon each and every one of us to be a problem solver, not a problem creator.

"To a remarkable degree, we succeeded.

"By working together, we passed not one but two budgets before the start of the fiscal year, for the first time in two decades.

"We addressed the serious issues facing the North Carolina General Assembly, and we did the things that needed to be done.

"We remained focused and completed the last two phases of the plan to raise teacher pay to the national average.

"We made Smart Start available to every county in North Carolina.

"We passed a 3.1 billion dollar bond issue for higher education to put before the people. The voters overwhelmingly endorsed that proposal in a referendum last year, demonstrating their confidence in our great universities and community colleges.

"We adjourned in a timely manner, in keeping with our honored tradition of a citizen-legislature.

"We did all of these things - and more - without raising taxes.

"Granted, we worked together better on some days than on others. Every now and then, we let our emotions get away from us. We said some things that, in hindsight, we wish we hadn't said. We got a little too demonstrative.

"I would like to think that we got through those days, at least in part, because I kept my word. I said on the first day of the 1999-2000 Session that every member of this House would be given a chance to represent the people who sent them here.

"The 2001-2002 session will be no different. Each and every Member will have the opportunity to stand up on the floor of this House and speak for the people back home.

"Sometimes our debate will be vigorous - and maybe even heated.

"But we should never forget that this institution - the House of Representatives - is bigger than all of us. It was here before we were born. It will survive, God willing, long after we are gone.

"We should never, ever, show disrespect for this House. And as long as I am Speaker, we will not.

"Today marks the beginning of the 144<sup>th</sup> Session of the North Carolina General Assembly. When we adjourn next year, it will have a unique place in history, just like those sessions that came before it, and those that will follow.

"With a new Governor and several new members of the Council of State, we will have an opportunity to look at issues and programs in a new way, with a new perspective.

"We will also have a chance to look beyond the next two years, or four years.

"We can - and should - take the long view and talk about how we can prepare our State's citizens for the challenges and unlimited potential of the next millennium.

"The new Governor - and his administration - may be the biggest adjustment for everybody in State Government. That's going to take some getting used to.

"Jim Hunt was Governor for the last eight years - and 16 of the last 24 years. A good number of you have never served under a Governor other than Jim Hunt.

"For a while, it's going to be a shock to hear Mike Easley's voice on the other end of the line when somebody tells me the Governor is on the phone.

"While the Governor will be different, the major issues will remain the same.

"Education will remain at the top of our agenda, as it should. I have always believed that education is the key that can unlock our State's vast potential. Our people cannot take advantage of North Carolina's booming economy if they do not have the education and training that business and industry demands.

"We cannot reduce crime rates if we do not educate our young people and give them the means to lead productive lives and to participate in the good life.

"We are improving public schools in North Carolina. Other states look to us as a model of the right way to approach accountability, safe schools and teacher quality.

"In the recent rankings by 'Education Week,' for example, North Carolina received the highest grade in the nation - a B plus - for improving teacher quality.

"But like most students, we have areas where we must improve. We cannot settle for average in any measure of public school excellence.

"While we have made progress in our public schools, we must be willing to fine-tune our recent efforts.

"Some fear that our emphasis on accountability is leading to too much reliance on standardized testing - and that teachers are spending too much time teaching tests and not enough time teaching our children how to think, explore, learn and solve problems.

"I share that concern, and I am willing to adjust our current course of action.

"But we cannot turn our backs on accountability.

"Support for our public schools will erode if we do not make sure that our children are learning - not just moving up through the grades. A high school diploma must be more than a certificate showing that a student spent 12 years in the public schools.

"And we must make sure that each and every child is learning. All of our children cannot reach their full potential unless we find ways to close the achievement gap between white and minority students.

"Charter schools should not be exempt as we push to make our public schools more accountable. Charter schools that do not give their students a good education, or cannot demonstrate how they are spending the taxpayers' money, should not be allowed to operate.

"As we consider our education agenda for the coming years, we cannot slide back on teacher pay. Those of us who were here over the last four

years worked hard to stay the course on an ambitious plan to raise teacher pay to the national average.

"Nay-sayers said we couldn't do it, that we would not follow through. But we did.

"Now, the task is to move our teachers beyond the national average. We probably are not going to reach that goal this year. But we should never let it out of our sight.

"The difficulty in raising teacher pay and addressing dozens of other needs is that there is just no money.

"We're facing a shortfall of more than 480 million dollars in the current State Budget, in large part because of slower-than-expected tax collections and higher-than-expected spending for Medicaid and other programs.

"That's the current budget, but you and I both know that the current budget provides us with the starting point for writing the next biennial budget.

"The revenue picture may not be any brighter for the next few years.

"We simply cannot burn our budget candle at both ends any longer. We have cut taxes by more than a billion dollars, and we've raised teacher pay and expanded Smart Start and given State Employees pay raises and done a lot of things that needed to be done.

"We've helped our people of eastern North Carolina back on their feet after a natural disaster of historic proportions. And we've been on the losing end of some court decisions.

"We were able to pay for all of that because the state and national economies were booming and our coffers were full.

"But our day of financial reckoning has arrived. As we write the new State budget, we are going to carefully analyze our spending and revenues. Every office in every department and agency must be ready to justify its budget.

"Some will say that we need to raise taxes to get out of our financial bind, but I don't hear any great hue and cry for that from my constituents.

"The loudest call for a tax increase is coming from local governments. They want us to give them the authority to raise the sales tax - essentially a State tax - and let them keep the revenue.

"I understand that a one-cent sales tax increase, if approved by the voters, is the number one goal of the North Carolina Association of County Commissioners.

"Some counties also want the authority to impose fees and taxes on development, and to impose taxes on prepared food, and to raise money in dozens of ways.

"We resisted those calls during the last session. I did not think we should be raising taxes so soon after we'd approved a billion-dollar tax cut. I decided that a better course of action would be to step back and take a comprehensive look at our State and local tax structure to make sure that it remained fair and equitable.

"The Tax Policy Study Commission has prepared an interim report to the General Assembly. But it needs more time to develop comprehensive proposals.

"No matter what we ultimately decide, it's no secret that raising taxes - or giving local government the authority to raise taxes - is not easy in today's political climate.

"That will apply to a proposal to raise transportation-related fees that will be introduced this session.

"It is clear to anyone who drives our roads and highways that we need to spend more on maintenance. 'The Good Roads State' has definitely fallen behind.

"But I am not convinced that higher taxes and fees are the only answer. And I don't believe a majority of the General Assembly believes they are the only answer either.

"Some will look to a State lottery as a partial solution to our bleak revenue picture.

"Governor Easley has proposed a lottery as the way to pay for pre-school education, and our neighbors in South Carolina passed a lottery referendum last year.

"Given those factors, I think it is clear that pressure will build for a North Carolina lottery.

"But the lottery is not a sure bet. There are a lot of lottery opponents on both sides of the political spectrum in both the House and Senate.

"Instead of focusing on raising taxes, or counting on a lottery, we must search for ways to spend smarter, to reallocate, to reconsider all programs to see if they are the best use of our tax dollar. That should be one area where we all can agree.

"If the budget and money matters are our number one concern, redistricting is a close second. For some, it probably outranks the budget.

"It seems simple enough to redraw U.S. House, State House and Senate districts so that they have the same number of people. With today's computers, almost anybody can draw the lines.

"The hard part will be threading our way through the thicket of court cases, recognizing communities of interest, trying to accommodate the wishes of incumbents and minimizing the number of split counties and cities and precincts.

"The only way we can get the job done is to work together and be willing to compromise. None of us is going to end up with the district of our dreams.

"We also must strive to draw districts that will survive court challenges. We must do our best to ensure that our citizens are not bounced from district to district every two years because our work did not pass muster with the courts.

"The budget and redistricting will be the two biggest issues. But they are not the only ones.

"We will continue looking at ways to overhaul our mental health system. We appointed a study commission to begin that work last year.

"We will consider a death penalty moratorium.

"We will continue talking about utility deregulation. But it's no secret that the stories coming out of California are slowing the push for deregulation.

"California is not like North Carolina. But the problems with deregulation in California have certainly gotten our attention. We simply cannot afford to make similar mistakes.

"We will talk about ways to protect air and water and North Carolina's natural beauty.

"We also will talk about ways to ensure that every North Carolinian has access to quality, affordable health care. And helping our senior citizens pay for prescription drugs is a necessary part of that discussion.

"I want to conclude by saying that I am excited about the upcoming session. Those who know me know that there's nothing I like more than a challenge.

"There should be no doubt that the issues staring us in the face this year will present plenty of challenges.

"As we tackle the tough issues, I do not want us to fall into our usual pattern of seeing them in isolation and developing only short-term solutions. I truly believe that we must seize this opportunity to talk about where we need to go as a state - and how best to get there.

"As we chart our future, we can use Governor Easley's inaugural address as one of our guiding stars:

"I quote:

"We must remember that North Carolina is more than a collection of regions and people. We are one State, one people, one family, bound by a common concern for each other.

'Our economic and educational development must reflect this common spirit of purpose as we build our future.'

"What a wonderful path to follow as we approach the many challenges of this session.

"There is only one way we can achieve those goals. We must work in a bipartisan manner. There's a lot of talk about bipartisanship in Washington. Here in North Carolina, we cannot afford to just talk about working together. We must actually do it.



"With the Democratic and Republican numbers as close as they are we must learn to live together and share power. That's what I've tried to do over the past two years, and that's what I pledge to continue over the next two years.

"That will be bad news for strong partisans of both parties, but good news for the people.

"Citizens want their elected officials to spend less time fussing and fighting, and more time working together to make our State and nation better places to live, to work and to learn. I share that goal, and I hope you do too.

"Thank you."

The Speaker assumes the duties of the Chair.

### **ADOPTION OF TEMPORARY RULES**

Representative Culpepper is recognized and moves that the permanent rules of the 1999 House of Representatives, be adopted as temporary rules for the 2001 House of Representatives, with the following amendment: "The term 1999 be amended to read 2001 in Rules 1 and 31.1."

The motion to adopt the temporary rules carries by electronic vote (110-0).

### **ELECTION OF OFFICERS CONTINUED**

#### **SPEAKER PRO TEMPORE**

The Speaker announces that nominations are in order for Speaker Pro Tempore.

The Speaker recognizes Representative Insko who places in nomination the name of Representative Joe Hackney as a nominee for Speaker Pro Tempore.

"Mr. Speaker, Ladies and Gentlemen of the House, Distinguished Guests and Visitors.

"It gives me great pleasure to nominate Representative Joe Hackney of the 24<sup>th</sup> House District for Speaker Pro Tempore of the North Carolina House of Representatives.

"For the past two years, Joe Hackney has served in this position with dignity and distinction, always showing through his leadership his great respect for this Body, for the State of North Carolina and for the work we do together.

"Joe Hackney is beginning his 11<sup>th</sup> term in the North Carolina House.

"During his 20 years of service, he has established an admirable legislative record. He is consistently ranked among the top ten in effectiveness by the North Carolina Center for Public Policy Research.

"His legislative achievements include the Phosphate Detergent Ban, the Waste Management Act of 1989, the .08 DWI bill, the Taxpayer Bill of Rights, and numerous domestic relations reform measures. In the 1999 Session he introduced the clean air, clean water, and sedimentation bills and made further improvements in our DWI laws.

"In addition to being elected as Speaker Pro Tempore in 1999, he has served as Chair of the House Committees on Energy, Water and Air, and Judiciary, Co-chair of the House Finance Committee, and Co-chair of the Environmental Review Commission.

"As you might guess, Joe Hackney has received numerous awards for his legislative initiatives and for his leadership in the House.

"He has twice received the Distinguished Service Award from the Family Law Section of the North Carolina Bar Association and is twice honored by the North Carolina Wildlife Federation as recipient of their Governors Award as Legislator of the Year.

"He has also been honored with awards by the North Carolina Consumers Council, the Triangle Land Conservancy, the North Carolina Chapter of the American Planning Association, the North Carolina Chapter of the American Academy of Pediatrics, and the North Carolina Chapter of the Sierra Club.

"His work and his awards extend beyond North Carolina. He is one of the few among us whose leadership in policy issues reaches the national and international levels.

"He served two years as Chair of the Southern Legislative Conference Committee on Environment and Natural Resources and received their 1991 Service Award for his outstanding leadership.

"He is a current member and Co-chair of the National Caucus of Environmental Legislators and is current Chair of the National Conference of State Legislatures Environment Committee.

"In his role with the National Conference of State Legislatures, he testified in September before a Congressional Subcommittee on changes the federal government should make to assist states in protecting the environment.

"He was a 1991 study tour participant with the United States-Japan Foundation on the Use of Public-Private Partnerships in Environmental Protection and Biotechnology. In 1998, he traveled to New Zealand for the 44<sup>th</sup> Annual Conference of the Commonwealth Parliamentary Association.

"Joe Hackney was born in Silk Hope, a small community in Chatham County. He was the youngest of five children and grew up on the family dairy farm, which he and his brother Jack run now as a beef cattle farm.

"He attended public schools in Chatham County, received his bachelors and law degrees from the University of North Carolina at Chapel Hill and, in 1974, founded the law firm, Epting and Hackney. He is married to Betsy Strandberg Hackney and they have two sons, Dan and Will. Betsy, Dan, and Will are with us today.

"Joe's North Carolina and Chatham County roots are deep. He is the sixth generation of Hackneys to call North Carolina home. His great, great grandfather, Daniel Hackney, served in the North Carolina House of Commons in the 1840s and 50s.

"Notwithstanding his dedication to this House or his policy work at the national and international levels, on Saturdays, you will usually find Joe down on the farm in Chatham County repairing fence posts, baling hay, or completing some other chore.

"Joe Hackney enjoys hard work and good humor. We also know he is a man of integrity, competence, creativity, and inclusiveness, a man who gives good counsel, a man who is true to his word.

"Today, I nominate him for Speaker Pro Tempore of the North Carolina House and I ask each of you to join me in supporting him."

Representative Boyd-McIntyre seconds the nomination.

"Mr. Speaker, Ladies and Gentlemen of the House, families and friends -

"It is such an honor for me to second the nomination of Representative Joe Hackney for Speaker Pro Tempore of the North Carolina House. As a seasoned and effective legislator, and a dedicated leader, he has earned the respect of his colleagues, constituents and the public.

"Joe exhibits superior leadership qualities - intelligence, integrity, wisdom, dependability and the list goes on.

"Representative Hackney's many outstanding qualities are reflected in the roles he assumes in the House: general member, Speaker Pro Tempore, committee chair and on another level as colleague and friend. He is also judged by the legislative issues he champions.

"First, Joe Hackney apparently subscribes to the notion that knowledge, indeed, is power. Consequently, when he arrives to the Chamber for session, he is well prepared. He studies the bills on the Calendar, I believe, and thus is abreast of the issues to come before the Body for debate and final resolution. So he is an effective Member in that regard.

"Secondly, in his role as Speaker Pro Tempore, Representative Hackney proved to be effective as a member of the leadership team. When presiding he clearly demonstrated seriousness, skill, tact and most assuredly competence.

"Representative Hackney does a fine job of running the committees he chairs, such as the Finance and Judiciary Committees. He's seen as firm but fair, and he even exhibits a sense of humor. As I sat on his Judiciary Committee - J-I, one thing I noticed was his willingness to sit down and work out compromises in order to get at more timely, yet proper resolutions to legislative proposals.

"How does Joe Hackney stand on the issues?

"To begin with, his is a steady and compelling voice for education, with especially unswerving support for the University of North Carolina there, they have found a true ally in Joe Hackney. In today's vernacular, he might say, 'I got your back', and truer words were never spoken.

"Secondly, women of the General Assembly admire and appreciate Joe for very specific reasons. One reason is that Joe gave these members enormous and invaluable assistance in passing special legislation to help

women, including domestic violence laws. Without a doubt, we needed the considerable help from a few good men and, Joe, there you were. Thanks.

"Additionally, Representative Hackney cares deeply about children and has worked tirelessly to help improve health, safety and the overall welfare of our children.

"These are but a few of the issues Joe cares about and has worked hard to move along.

"I've often described Joe as a model from whom young and beginning legislators can learn a lot, as they seek to develop their own styles. And I believe that.

"For anyone who knows Joe, his strong work ethic is hard to miss. He is hardworking, sometimes juggling several enterprises simultaneously. I dare say all of them quite well.

"He has shown that for him, there's more to life than legislating and courtroom deal negotiating. So at times he can be found plying his trade on the family farm, where he obviously is in tune with nature.

"Sometimes he'd rather be on his Harley, the wind at his back, a stretch of road ahead of him, with not a care in the world, even if only for one moment.

"Representative Joe Hackney is as solid as a rock. Certainly, he possesses the stamina - both mental and physical - to embrace his many professional tasks, even while raising two boys and being a good family man.

"I'm convinced that Joe merits the admiration and respect and trust people repose in him. Further he definitely deserves your vote for re-election to the position of Speaker Pro Tempore for the 2001-2002 term. Considering the major challenges to be confronted today, it's clear that the Speaker's team needs the support of the best minds available. I submit that Representative Joe Hackney represents the gold standard.

"I appreciate the opportunity to speak to you, thank you."

Representative Goodwin seconds the nomination.

"Mr. Speaker, my Colleagues in this great House of Representatives, and citizens of North Carolina:

"Today it is an honor to rise and second the nomination of Representative Joe Hackney of Orange County for the position of Speaker Pro Tempore.

"I have known Joe Hackney for almost 16 years. During my freshman year at University of North Carolina at Chapel Hill, Joe Hackney visited with a group of students interested in public service. There he impressed upon me the responsibilities of a Tar Heel State legislator. He also discussed the rich history of the House and its important role in making North Carolina the progressive State that it is. His attention to details, his listening skills, and his commitment to the cause of good government left an indelible mark on me.

"In the years thereafter I learned that Joe Hackney is what many may term a Renaissance Man: Learned in the law and our Constitution, he operates a beef cattle farm, runs a small business, possesses a passion for protecting the environment, and never turns away from any fight on behalf of children and families, public safety and public schools, or equality and justice.

"For those of us who joined the House since the 1980s, we were told to observe the Member from Orange County. From him we would learn about the art of debate and the ability to command the attention of Members in one's areas of expertise.

"He has championed a number of causes over the years, and has received recognition for his commitment and service to those causes, all in the name of good government.

"On account of his skill and integrity, his colleagues have time and again ranked Joe Hackney as one of its most effective legislators.

"In 1999 this House elected him Speaker Pro Tem. Speaker Black called on Representative Hackney frequently to lead this House in his absence and this body was grateful for his leadership. During those two years, Representative Hackney served dutifully, capably, and effectively. I know of no time when his decisions from the chair were challenged. And following Speaker Black's lead, Representative Hackney was fair to Members of both parties in debate. As Speaker Pro Tem, he had the respect and the ability needed to perform the job. And he still does.

"Looking back to 1985, that first time I met Joe, he has not changed. He still understands the important responsibilities of a Tar Heel State legislator. He appreciates the role of this chamber's rich history and its  
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importance in making North Carolina the progressive State that it is. He remains a master of details. He practices active listening skills with colleague and constituent alike. And he fights for the cause of good government. The only thing that has changed is that Joe is now my friend and colleague. For that, I am deeply honored. North Carolinians as well are blessed to have such a talented public servant among us.

"As we begin the 144<sup>th</sup> Session of the General Assembly, I know of no better person who will fulfill the duties as Speaker Pro Tem...again.

"I ask that you join me in casting a vote for the gentleman from Orange County, Representative Joe Hackney, as our next Speaker Pro Tem."

There being no further nominations, the Speaker declares the nominations closed and requests that the roll of the House be called.

The following members vote for Representative Hackney: Speaker Black; Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright and Yongue - 116.

Representative Hackney, having received a majority vote, is declared Speaker Pro Tempore.

The Speaker Pro Tempore, escorted to the Well of the House by Representatives Alexander, Allen, Bonner, Earle, Jarrell, Oldham, Warner and Weiss, takes and subscribes to the following oath of office administered by Judge Robert C. Hunter, North Carolina Court of Appeals.

**OATH FOR SPEAKER PRO TEMPORE OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I, JOE HACKNEY, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

"I, JOE HACKNEY, do swear that I will well and truly execute the duties of the office of Speaker Pro Tempore according to the best of my skill and ability, according to law; so help me, God."

Speaker Pro Tempore Hackney makes the following remarks.

"Thank you very much, Members of the 2001 House of Representatives, for electing me once again to serve as Speaker Pro Tem. I will always remember your support and your vote of confidence.

"On opening day we should always pause to remember the sacrifices our family members make so that we can serve. In my case, Betsy, Dan, and Will always have shown understanding and support for my legislative work here, and to them I express great appreciation.

"Thank you, Representative Insko, Representative Boyd-McIntyre, and Representative Goodwin, for your kind remarks today. Thank you, citizens of Chatham and Orange Counties, for allowing me the great privilege of representing them here for another term. Thank you, my law partners, who allow me the time away from our office. Thank you, Emily Reynolds Freeman, for your excellent work in serving the people of our district in my legislative office. And thank you, Speaker Black, for making our working relationship last session an excellent one.

"The job description of the Speaker Pro Tem is quite simple: It is to assist the Speaker and the Members of the House in the fair and expeditious administration of the business of the House. I pledge my full efforts and full support to Speaker Black and the House Members to this end.

"An appropriate reflection for opening day is that of respect for this House of Representatives, its history, its traditions and rituals, and its place



in the history of our State. Two years ago I stood here and said that we have a tradition of free-wheeling debate. We continued that last session. I said we make changes to the appropriations bill on the floor; we did. I said our Finance Committee and our Judiciary Committees move slowly and hear all views; we sometimes debate local bills for hours; and we do not always vote along party lines. We did all those things last session as well. And we continued to do the people's business in an open way, and to guard our prerogatives when the Governor or the Senate tried to encroach.

"This session, much has been made of the difficulties ahead. But I prefer to emphasize the opportunities - the opportunity to fairly and expeditiously balance the budget while also meeting the needs of our citizens - particularly the needs of those least able to help themselves. The opportunity to fairly redistrict our congressional and legislative boundaries. The opportunity to further protect and defend the health of our citizens and the health of our natural environment. And so, with the now experienced leadership of Speaker Black, and with a full appreciation of our House traditions, I'm ready to join each of you in a productive session, a civil session, and a session of which all citizens can be proud."

### **ELECTION OF OFFICERS CONTINUED**

#### **PRINCIPAL CLERK**

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

Representative Weiss places the name of Denise G. Weeks of Wake County in nomination for Principal Clerk.

"Mr. Speaker, Members of the House, Distinguished Guests and Visitors:

"At this time I rise to nominate Ms. Denise Gale Weeks for the Office of House Principal Clerk. Ms. Weeks is a lifetime resident of Wake County. She has been an employee of the General Assembly since 1977 and has held various positions in the House Principal Clerk's Office. Ms. Weeks has served as Principal Clerk since 1993 and, in the spirit of bipartisan cooperation, she has served under both Democratic and Republican Speakers. Ms. Weeks served as the President of the American Society of Legislative Clerks and Secretaries from 1998-1999. If I were to choose four words to describe Ms. Weeks, I would say that she is diligent,

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professional, courteous, and efficient. She has done a very good job running the Clerk's office. As a fellow resident of Wake County, I am proud to nominate Ms. Denise Weeks for the Office of Principal Clerk."

Representative Miner seconds the nomination.

"Mr. Speaker, Members of the House:

"My colleague from Wake County, Representative Weiss, has very efficiently and effectively described our Principal Clerk's background. As you all know she has been our Principal Clerk since 1993, so I am not going to go back and repeat those things. The reason I am proud to second the nomination of Denise Weeks to be the Principal Clerk of the House of Representatives is that she has a deep respect and love for this institution, and she has shown that love and respect for this institution, in good times and bad times as she has assisted many Speakers of this House in the duties of the office.

"And on a personal note to the new members of the House. Even though you find Ms. Weeks to be a very professional woman, she is also a good friend. As you begin your new term in the State House, you will find she is there to assist you in your new duties in the House of Representatives.

"She carries herself well. She has been recognized by her colleagues throughout the country. They have elected her to positions of leadership having elected her national President of their Association.

"It is my honor to second the nomination and encourage your vote."

On motion of Representative Culpepper, the nominations are closed and Ms. Weeks is elected by acclamation.

Denise Weeks takes and subscribes to the following oath of office administered by the Speaker of the House as authorized under G.S. 120-5.

**OATH FOR PRINCIPAL CLERK OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I, DENISE G. WEEKS, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government

thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

"I, DENISE G. WEEKS, do swear that I will well and truly execute the duties of the office of Principal Clerk according to the best of my skill and ability, according to law; so help me, God."

### **APPOINTMENT OF OFFICERS**

Pursuant to Rule 45(c), the Speaker appoints Robert R. Samuels as Sergeant-at-Arms for the 2001 House of Representatives.

The Speaker administers the following oath of office to the Sergeant-at-Arms pursuant to G.S. 120-5.

### **OATH FOR SERGEANT-AT-ARMS OF THE HOUSE OF REPRESENTATIVES 2001 SESSION**

"I, ROBERT R. SAMUELS, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

"I, ROBERT R. SAMUELS, do swear that I will well and truly execute the duties of the office of Sergeant-at-Arms according to the best of my skill and ability, according to law; so help me, God."

The Speaker appoints the Reverend Michael D. Frese, Millbrook United Methodist Church, to serve as Chaplain of the House.

On motion of Representative Baddour, the courtesies of the floor are extended to the following members of Speaker Black's family:

Betty Black, wife

Dr. Deborah Black Carpenter, daughter

Dr. Matt Carpenter, son-in-law

Nicole and Brennan Carpenter, grandchildren

John Black, son

Pat Moore, sister

Martha Ward, sister

Dr. Ben Ward, brother-in-law

Norman and Vicky Clodfelter, brother-in-law and sister-in-law

Sue Gardner, friend

The Speaker extends courtesies of the floor to the family of the Speaker Pro Tempore, Representative Hackney:

Betsy Hackney, wife

Will and Daniel Hackney, sons

The Speaker also extends courtesies of the floor to the families and guests of the Officers and Members of the House.

### **CAUCUS LEADERS ANNOUNCED**

Representative Baddour is recognized and reports that the Democratic Caucus has been held and he has been elected Majority Leader; Representatives Dedmon and Earle elected Majority Whips.

Representative Daughtry is recognized and reports that the Republican Caucus has been held and that he has been elected Minority Leader and Representative Mitchell, Minority Whip.

The Speaker declares that the House of Representatives of 2001 is organized and orders that a Special Message be sent to the Senate so advising that Honorable Body that the House is now ready to proceed with public business.

On motion of Representative Culpepper, seconded by Representative Hackney, the House adjourns at 1:44 p.m. to reconvene January 25 at 11:00 a.m.

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## SECOND DAY

HOUSE OF REPRESENTATIVES  
Thursday, January 25, 2001

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Sovereign Lord, You alone are Ruler of the universe. Yet, in Your mercy, You offer us the privilege of shaping our destiny and crafting our future. As we gather to continue charting the course of this State, we come seeking Your guidance in our endeavors. By Your grace, raise our perspective beyond that which is merely temporal and expedient to the higher ideals of Your kingdom. Favor us with a spirit of cooperation born of the mutual goal of the common good. Bless our work together with friendship and fairness, candor and creativity, reciprocity and respect. May the fruits of our labor, as the manner in which it is done, be pleasing in Your sight. Consecrate us now in our work and to Your purpose. Amen."

Representative Culpepper reports the Journal of January 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gray and Rogers for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

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By Representatives Owens and Tolson:

**H.B. 1**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATION AND INFRASTRUCTURE IMPROVEMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Owens, Sherrill, and Tolson:

**H.B. 2**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS, TO AUTHORIZE THE SECRETARY OF ADMINISTRATION TO ADOPT TEMPORARY RULES TO IMPLEMENT THE RECIPROCAL PREFERENCE PROGRAM, AND TO APPROPRIATE FUNDS FOR THE RECIPROCAL PREFERENCE PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 3**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A RECIPROCITY LAW WILL DISCOURAGE PREFERENCE LAWS IN OTHER STATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Blue (Primary Sponsors); Allred, Barefoot, Buchanan, Cansler, Cox, Goodwin, Grady, Johnson, and Sherrill:

**H.B. 4**, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Blue (Primary Sponsors):

**H.B. 5**, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT

OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW OF DISCIPLINARY ACTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes and Walker:

**H.B. 6**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
January 24, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives informing that Honorable Body that the Senate is organized and is now ready to proceed with the public business. For your further information, the following officers have been elected for the 2001 Session:

Senator Marc Basnight	President Pro Tempore
Senator Frank Ballance	Deputy President Pro Tempore
Ms. Janet Pruitt	Principal Clerk
Mr. LeRoy Clark, Jr.	Reading Clerk
Mr. Cecil Goins	Sergeant-at-Arms

Further be advised that the Senate has been notified of the election of the following party officers:

Senator R. C. Soles	Majority Caucus Chairman
Senator Tony Rand	Majority Leader
Senator Luther Jordan	Majority Whip
Senator Jeanne Lucas	Majority Caucus Secretary
Senator Patrick J. Ballantine	Minority Leader
Senator James S. Forrester	Minority Whip

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

January 25, 2001

On motion of Representative Culpepper, seconded by Representative Daughtry, the House adjourns at 11:10 a.m. to reconvene Monday, January 29, 2001, at 7:00 p.m..

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## THIRD DAY

HOUSE OF REPRESENTATIVES  
Monday, January 29, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of Grace, it is You who created us and it is by You that every person under heaven is named. In Your wisdom You created humankind in infinite variety. Yet to each individual You gave the equal and high dignity of bearing Your image. We who gather here to represent the State also represent the extensive variety of creation for we come as unparalleled individuals, uniquely formed by our biological, experiential, and educational history.

"Unifying Spirit, let not our differences divide us. Rather, may the rich variety of opinions which we bring become the source from which we mine the ore of ideas. Use our debates and discussions as a refining process so that the pure and precious metal of truth emerges. Bless us, O Lord, that our assembly may be more than simply a mechanism of a state bureaucracy; may it become an instrument of will. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper reports the Journal of January 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cole, Decker, Gray, and Teague for today.



**SEATING OF MEMBER**

The Speaker announces that Representative Larry Womble of the 66th House District has been administered the following oath of office by Principal Clerk, Denise G. Weeks, Notary Public of Wake County.

**OATH FOR MEMBER OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I, LARRY W. WOMBLE, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Hill, Bell, Church, Justus, Mitchell, and Warwick:

**H.B. 7**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS I FELONIES AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gray, Cansler, Carpenter, Church, Esposito, Justus, Mitchell, Pope, Rayfield, Sherrill, Shubert, and Smith:

**H.B. 8**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GIFT TAX, is referred to the Committee on Finance.

By Representative Buchanan:

**H.B. 9**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM MUNICIPAL OCCUPANCY TAXES IN AVERY COUNTY, is referred to the Committee on Finance.

By Representative Sherrill:

**H.B. 10**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO PROVIDE MINIMUM SECURITY INMATES WITH MORE FLEXIBILITY IN PLACING LOCAL CALLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Bell, Cansler, Carpenter, Church, Cox, Esposito, Gillespie, Johnson, Justus, Owens, Pope, Rayfield, Shubert, Smith, Walend, Warwick, and West:

**H.B. 11**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE HOMESTEAD EXEMPTION INCOME LIMIT AND TO HOLD COUNTIES HARMLESS FOR FIVE YEARS FOR THE RESULTING REVENUE LOSS, is referred to the Committee on Finance.

By Representatives Justus, Cansler, Carpenter, Church, Esposito, Gillespie, Rayfield, Sherrill, Shubert, Walend, Warwick, and West:

**H.B. 12**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT WHEN THE STATE OF NORTH CAROLINA TAKES PROPERTY BY EMINENT DOMAIN FOR PURPOSES OTHER THAN TRANSPORTATION, LOCAL GOVERNMENTS SHALL BE REIMBURSED FOR LOST REVENUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sherrill, Cansler, Carpenter, and Walend:

**H.B. 13**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM ENCOURAGING INSURANCE CLAIMANTS TO OBTAIN MOTOR VEHICLE REPAIR SERVICES FROM PARTICULAR SOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jarrell, Church, and Hurley:

**H.B. 14**, A BILL TO BE ENTITLED AN ACT TO USE ANNUAL POPULATION ESTIMATES RATHER THAN THE DECENNIAL CENSUS WHEN DETERMINING ELIGIBILITY FOR INCORPORATION OF NEW MUNICIPALITIES WHICH ARE IN PROXIMITY TO EXISTING MUNICIPALITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner and Church:

**H.B. 15**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC SCHOOL LAWS BY DEFINING THE TERM "MIDDLE SCHOOL", is referred to the Committee on Education.

### INTRODUCTION OF PAGES

Pages for the week of January 29 are introduced to the membership. They are: Landon Bisher of Davidson; Kenneth Goetze of Wake; Adam Hurley of Lee; Angelina Keath of Mitchell; Lindsey Ricks of Wake; Rebecca Ricks of Wake; Emily Sears of Orange; and Powell Williams of Wake.

On motion of Representative Culpepper, seconded by Representative Fitch, the House adjourns at 7:10 p.m. to reconvene January 30 at 12:00 Noon.

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## FOURTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, January 30, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

“Almighty God, before You our hearts are open and to You all secrets are known. You see deep within our inward being and You discern our thoughts and motivations. We confess that we are not perfect people, with

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pristine wills and flawless impulses. Despite our shortcomings, shape us into vessels of Your grace. Cleanse our hearts and minds from influences that would jeopardize our work together. Remove from us prejudices that would cause us to discount persons different from us and ideas that vary from our own. Purge from us inordinate pride that would place personal or political gain before the welfare of the people. Create in us clean hearts, O God, and renew spirits within us. Amen.”

Representative Culpepper reports the Journal of January 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Cole, Decker, Hiatt, McAllister, Teague, and Warner for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Smith:

**H.B. 16**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DRIVER SHALL MOVE TO THE LEFT LANE WHEN PASSING A VEHICLE STOPPED ON THE RIGHT SHOULDER OF THE ROADWAY BY A LAW ENFORCEMENT OFFICER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Barnhart, Capps, Carpenter, Davis, Esposito, Hilton, Kiser, McComas, Morris, Rayfield, Walend, and Weatherly:

**H.B. 17**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VOTERS BE ASKED TO PRESENT IDENTIFICATION BEFORE BEING ALLOWED TO VOTE, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Arnold, Fitch, Hall, and Tolson:

**H.B. 18**, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE,

is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

**H.B. 19**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF PINE KNOLL SHORES AND INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 12:08 p.m. to reconvene January 31 at 2:00 p.m.

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## FIFTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, January 31, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, as legislation is planned and bills are drafted, open our work to all people and circumstances in our State. Make us mindful not only of those with economic and political prominence, but also of those whose existence falls below the socio-economic radar screen. Give us ears to hear the muted cries of those whose voice has yet to be heard because their breath is labored by the mere act of survival. Give us eyes to see beyond the prosperity of some to the poverty of others. Let not our assembly become a playground for the 'haves'; let it instead become a catalyst of opportunity for all people. Guide our efforts, O God, that we might govern equitably and improve the quality of life and the promise of the future for all who call North Carolina their home. Amen."

January 31, 2001

Representative Culpepper reports the Journal of January 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Cole, Creech, Hiatt, Starnes, and Teague for today.

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

The following are introduced, read the first time and referred to committee:

By Representatives Sutton and Barbee:

**H.B. 20**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE COMMISSION TO STUDY COMMISSION CONTRACTS FOR ISSUANCE OF MOTOR VEHICLE REGISTRATION PLATES AND CERTIFICATES TO INCREASE THE RATE PAID PER TRANSACTION TO COMMISSION CONTRACT AGENTS FOR THE ISSUANCE OF PLATES AND CERTIFICATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton and Barbee:

**H.B. 21**, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE STUDY OF COMMISSION CONTRACTS FOR THE ISSUANCE OF MOTOR VEHICLE REGISTRATION PLATES AND CERTIFICATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 22**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE JOHN A. WILKINSON HIGH SCHOOL BUILDING FOR USE AS A COMMUNITY CENTER IN THE TOWN OF BELHAVEN, is referred to the Committee on Appropriations.

By Representatives Mitchell, Arnold, Barbee, Coates, Culp, Haire, Harrington, Insko, McCombs, Preston, Russell, Setzer, Smith, Walend, West, and G. Wilson:

**H.B. 23**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FARMLAND PRESERVATION TRUST FUND, is referred to the Committee on Appropriations.

By Representatives Mitchell, Arnold, Barbee, Coates, Culp, Haire, Harrington, Insko, McCombs, Preston, Russell, Setzer, Smith, Walend, West, and G. Wilson:

**H.B. 24**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CONSERVATION TRUST FOR NORTH CAROLINA TO SUPPORT THE WORK OF THE STATE'S PRIVATE LAND TRUSTS AND TO PROMOTE VOLUNTARY LAND CONSERVATION AGREEMENTS WITH PRIVATE LANDOWNERS, is referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Cunningham, the House adjourns at 2:09 p.m. to reconvene February 1 at 10:00 a.m.

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## SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, February 1, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

“God of grace, before we rose to greet this day, You already had met us with Your love. Before we made our first step, You already had gone before us. Before we uttered our first word, You already had spoken to our souls Your words of favor. Therefore, we bow before You this day in humble adoration and gratitude for providence and watchful care. May the knowledge of Your constant and consistent companionship bring peace to our minds and solace to our souls. Amen.”

February 1, 2001

Representative Culpepper reports the Journal of January 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Cox, Creech, Hiatt, Sherrill, Starnes, and Teague for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Blust, Capps, Decker, Gillespie, Harrington, Hilton, Morris, Pope, Rayfield, Shubert, and C. Wilson:

**H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Allred, Blust, Capps, Decker, Gillespie, Grady, Harrington, Hilton, Howard, Morris, Pope, Rayfield, West, and C. Wilson:

**H.B. 26**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dedmon, Alexander, Allred, Barefoot, Buchanan, Cole, Cox, J. Crawford, Davis, Gillespie, Insko, Justus, Luebke, Shubert, Smith, Wainwright, Warner, Warwick, and Womble:

**H.B. 27**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Daughtry, Davis, Harrington, and Shubert:

**H.B. 28**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representatives Daughtry, Allred, Blust, Capps, Davis, Decker, Gillespie, Harrington, Hilton, Morris, Pope, Rayfield, and Shubert:

**H.B. 29**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye, Allred, Cole, J. Crawford, Dedmon, Luebke, Smith, Wainwright, Warwick, Weiss, and Womble:

**H.B. 30**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MANAGED CARE ENTITY PROVIDING A HEALTH BENEFIT PLAN IS LIABLE FOR DAMAGES FOR HARM TO ITS INSURED OR ENROLLED CAUSED BY THE MANAGED CARE ENTITY'S FAILURE TO EXERCISE ORDINARY CARE AND TO PROVIDE STANDARDS FOR THE ESTABLISHMENT AND MAINTENANCE OF EXTERNAL REVIEW PROCEDURES IN HEALTH INSURANCE AND MANAGED CARE TO ASSURE THAT COVERED PERSONS HAVE THE OPPORTUNITY FOR AN INDEPENDENT REVIEW OF APPEALS OF NONCERTIFICATION DECISIONS AND SECOND LEVEL GRIEVANCE REVIEW DECISIONS MADE BY THE INSURER OR MANAGED CARE PLAN AND TO MAKE CONFORMING AMENDMENTS TO EXISTING LAW ON UTILIZATION REVIEW AND GRIEVANCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Dedmon, Insko, and Wainwright:

**H.B. 31**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE DATE PROVIDED BY FEDERAL LAW, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Goodwin, Dedmon, Justus, and Shubert:

**H.B. 32**, A BILL TO BE ENTITLED AN ACT TO DOUBLE THE PENALTY FOR PRESIDENTIAL ELECTORS WHO REFUSE OR FAIL TO VOTE FOR THE CANDIDATES OF THE PARTY WHICH NOMINATED THAT ELECTOR, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Goodwin, Dedmon, Insko, Luebke, and Weiss:

**H.B. 33**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF TWO PRESIDENTIAL ELECTORS AT LARGE AND ONE FROM EACH CONGRESSIONAL DISTRICT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Goodwin, Allred, Barefoot, Buchanan, Cole, Davis, Insko, Justus, Luebke, Wainwright, and Weiss:

**H.B. 34**, A BILL TO BE ENTITLED AN ACT TO BAN BUTTERFLY AND PUNCH-CARD BALLOTS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Goodwin and Luebke:

**H.J.R. 35**, A JOINT RESOLUTION FAVORING ROTATING REGIONAL PRESIDENTIAL PRIMARIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye, Barefoot, Cunningham, Edwards, Insko, Justus, Luebke, Nesbitt, Wainwright, Weiss, and Womble:

**H.B. 36**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MANAGED CARE OMBUDSMAN PROGRAM WITHIN THE DEPARTMENT OF INSURANCE, is referred to the Committee on Insurance.

By Representatives Nye, Cunningham, Edwards, Insko, Justus, Luebke, Nesbitt, Wainwright, Weiss, and Womble:

**H.B. 37**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HEALTH BENEFIT PLAN DISCLOSURE TO AND SUMMARY PLAN INFORMATION FOR PROSPECTIVE INSURED, is referred to the Committee on Insurance.

By Representatives Nye, Cunningham, Edwards, Insko, Justus, Luebke, Nesbitt, Wainwright, Weiss, and Womble:

**H.B. 38**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INSURED TO DISCLOSE PAYMENT OBLIGATIONS FOR COVERED SERVICES, is referred to the Committee on Insurance.

By Representatives Nye, Cunningham, Edwards, Insko, Justus, Luebke, Nesbitt, Wainwright, Weiss, and Womble:

**H.B. 39**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STANDARDS FOR MANAGED CARE PROVIDER DIRECTORIES, is referred to the Committee on Insurance.

By Representatives Edwards, Barefoot, and Wainwright:

**H.B. 40**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A NEW BLACKBEARD HISTORICAL MUSEUM IN THE TOWN OF BATH, is referred to the Committee on Appropriations.

By Representatives Barefoot, Alexander, Allen, Allred, Arnold, Bell, Bonner, Buchanan, Coates, Cox, J. Crawford, Culpepper, Cunningham, Davis, Dedmon, Esposito, Fox, Gibson, Goodwin, Haire, Hall, Hill, Holliman, Insko, Jarrell, Jeffus, Kiser, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Mitchell, Oldham, Owens, Pope, Rayfield, Rogers, Shubert, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, West, C. Wilson, G. Wilson, Wright, and Yongue:

**H.B. 41**, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Arnold, Buchanan, Cansler, Capps, Culp, Davis, Decker, Gillespie, Grady, Hilton, Justus, Kiser, McComas, McMahan, Morris, Pope, Preston, Rayfield, Shubert, Warner, Warwick, and Womble:

**H.B. 42**, A BILL TO BE ENTITLED AN ACT TO REDUCE PROPERTY TAXES ON HOMESTEAD PROPERTY AND TO ALLOW MORE INDIVIDUALS TO QUALIFY FOR THE HOMESTEAD TAX REDUCTION, is referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Esposito, the House adjourns at 10:10 a.m. to reconvene Monday, February 5, 2001, at 7:00 p.m.

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## SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, February 5, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, on the sea of eternity our lives seem like such small vessels. Yet even the mighty freighters are towed by the diminutive tugboat. Give us the determination and resolution to steer the course of our State into the deep channels of Your grace. Free us from entanglements with lesser goals and lesser philosophies. Equip us to chart well the course of Your will, following the guiding lights of Your justice and mercy. Save us from the false flows of the world's assessments. May our work, indeed our lives, follow the great current of history which flows from creation begun by You to its consummation in You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper reports the Journal of February 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cole, Davis, Decker, Hiatt, Hurley, Nesbitt, Saunders, Sherrill, Sutton, Teague, and Tolson for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

February 5, 2001

By Representatives Cansler, Nesbitt, Sherrill, and Walend:

**H.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES, is referred to the Committee on Transportation.

By Representatives Cansler, Carpenter, and Walend:

**H.B. 44**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ANNUAL REIMBURSEMENT TO LOCAL GOVERNMENTS FOR REPEAL OF THE STATE TAX ON INTANGIBLE PERSONAL PROPERTY, is referred to the Committee on Finance.

By Representatives Decker, Capps, and Warwick:

**H.B. 45**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF OFFENSES INVOLVING DRIVING AWAY WITHOUT PAYING FOR GASOLINE OR MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSE SUSPENDED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 46**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE HISTORIC CAMDEN COUNTY COURTHOUSE, is referred to the Committee on Appropriations.

By Representatives Bonner, Barefoot, Sutton, and Yongue:

**H.B. 47**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye, Barnhart, Cunningham, Edwards, Goodwin, Insko, Justus, Nesbitt, Underhill, and Wainwright:

**H.B. 48**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTINUITY OF CARE IN HMO PLANS, is referred to the Committee on Insurance.

By Representatives Culpepper and Goodwin:

**H.R. 49**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF PAGES

Pages for the week of February 5 are introduced to the membership. They are: Tiffany Benson of Bladen; Lori Beth Cherry of Johnston; Jacqueline Cooper of Davidson; Charles Grant Culbertson of Beaufort; De'Anna Gouge of McDowell; Ann Greene of Bladen; Matthew Manes of Mecklenburg; Stepanie McAbee of McDowell; Caroline Medlin of Wake; Martin Mikusa of Wake; and

Members of Girl Scout Troop Number 41 of Randolph County: Charity Brady, Heather Carr, Gretchen Cross, Heather Funk, Ebony LeGrande, Melissa Moore, and Heather Staley.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 7:10 p.m. to reconvene February 6 at 2:00 p.m.

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## EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, February 6, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"It would be easy, O God, to credit ourselves with the wisdom and skill necessary to fulfill the tasks of representation. It would be easy to assume that by our own power and expertise we could lead this State into a productive future. Yet, we know deep within our being, that without a connection to You, our endeavors would lack the creative power to truly make a difference. So we pause at this time as a reminder that You alone are God; You alone are the Source of wisdom; You alone are the Giver of creative vision. And we pray - we attend Your presence and acknowledge

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Your sovereignty, and open ourselves to Your leading. In this act of faith, empower our work to be greater than simply human striving. Make it, instead, a divine-directed quest for the common good of all people. Amen."

Representative Culpepper reports the Journal of February 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Eddins, Haire, Hiatt, Nesbitt, and Sutton for today.

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

The following are introduced, read the first time and referred to committee:

By Representatives Rayfield, Barbee, Barefoot, Blust, Buchanan, Cansler, Church, Culp, Earle, Fox, Gillespie, Gulley, Harrington, Hill, Hilton, Hunter, Hurley, Justus, Kiser, McComas, McCombs, Miner, Morris, Oldham, Preston, Setzer, Sherrill, Walker, Warner, Weatherly, West, C. Wilson, G. Wilson, Womble, and Yongue:

**H.B. 50**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, IF APPROVED BY THE VOTERS IN THE 2002 GENERAL ELECTION, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT LEGISLATION ALLOWING EACH COUNTY TO (I) INCREASE THE AMOUNT OF THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS IN THAT COUNTY AND (II) RAISE THE DEFINITION OF "LOW-INCOME" SO THAT MORE ELDERLY AND DISABLED INDIVIDUALS CAN QUALIFY FOR THE EXEMPTION, is referred to the Committee on Finance.

By Representatives Gibson and Goodwin:

**H.J.R. 51**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BISCOE ON THE TOWN'S CENTENNIAL ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

February 6, 2001

**S.J.R. 19**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BISCOE ON THE TOWN'S CENTENNIAL ANNIVERSARY.

On motion of Representative Culpepper, and without objection, Rule 41(a) is suspended and the resolution is placed on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### COMMITTEE ASSIGNMENTS

The Speaker makes the following standing committee assignments:

**RULES, CALENDAR, AND OPERATIONS OF THE HOUSE:** Representative Culpepper, Chair; Representative Hackney, Vice Chair; Representatives Allen, Allred, Barefoot, Barnhart, Boyd-McIntyre, Buchanan, J. Crawford, Culp, Cunningham, Fitch, Gibson, Gulley, Jarrell, Justus, Luebke, McComas, McCombs, McMahan, Michaux, Morgan, Rogers, Sherrill, Thompson, and Yongue.

On motion of Representative Culpepper, seconded by Representative Fitch, the House adjourns at 2:23 p.m. to reconvene February 7 at 2:00 p.m.

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## NINTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, February 7, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Master Creator, You crafted each one of us with special talents and abilities. All that we have and all that we are are but gifts that flow from Your grace and mercy. You have called us gathered here out of our regular

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responsibilities and You have endowed us with the gifts necessary for leadership and service. Forgive us when we squander these gifts in self-serving efforts. Free us to use our capabilities to serve others. Fill us with the joy that comes from obedience to Your call. As we acknowledge that our special and unique abilities come from You, may we fully recognize the greater responsibility to use them for Your work. 'To those whom much has been given, much will be required.' By Your grace, may we honor Your expectations of us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allred, Buchanan, Hiatt, and Redwine for today.

### **ENROLLED BILLS**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 19**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BISCOE ON THE TOWN'S CENTENNIAL ANNIVERSARY. (RESOLUTION 2001-1)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.R. 49**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 2001 GENERAL ASSEMBLY, with a favorable report as to committee substitute resolution, unfavorable as to original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of February 8. The original resolution is placed on the Unfavorable Calendar.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Insko, Earle, Hackney, and Wainwright:

**H.B. 52**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF INSURANCE AND OTHER ENTITIES TO IMPLEMENT AN OUTREACH STRATEGY TO INFORM THE PUBLIC ABOUT LONG-TERM CARE FUNDING AND PAYMENT OPTIONS, is referred to the Committee on Appropriations.

By Representatives Insko and Hackney:

**H.B. 53**, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONPROFIT CHILD CARE CENTERS FROM PROPERTY TAX, is referred to the Committee on Finance.

By Representatives Yongue, Adams, Alexander, Allen, Arnold, Barefoot, Bonner, Bowie, Cansler, Capps, Carpenter, Church, Cox, J. Crawford, Culp, Davis, Dedmon, Edwards, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Haire, Hall, Hensley, Hill, Hurley, Insko, Jarrell, Jeffus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, Michaux, Morris, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Setzer, Sexton, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Warner, Warren, Warwick, Weatherly, West, and G. Wilson:

**H.B. 54**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Daughtry, Allred, Arnold, Baker, Blust, Cansler, Capps, Carpenter, Culp, Davis, Decker, Eddins, Ellis, Esposito, Hilton, Holmes, Johnson, Justus, Mitchell, Morgan, Morris, Pope, Preston, Russell, Sexton, Shubert, Warner, Weatherly, West, and G. Wilson:

**H.R. 55**, A HOUSE RESOLUTION TO RECOGNIZE FEBRUARY 6 AS "RONALD REAGAN DAY" IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Harrington, Justus, and Morris:

**H.B. 56**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE NORTH CAROLINA GOVERNMENT COMPETITION COMMISSION TO PROVIDE FOR BETTER GOVERNMENT IN NORTH CAROLINA THROUGH A COMPREHENSIVE STATE GOVERNMENT COMPETITION INITIATIVE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker and Allred:

**H.B. 57**, A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Baker, Davis, Decker, Hill, Justus, Russell, and Sexton:

**H.B. 58**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INCOME TAX PAYMENTS MADE TO TOBACCO FARMERS, TOBACCO WORKERS, ALLOTMENT HOLDERS, AND OTHERS, AS COMPENSATION FOR THEIR LOSSES, PURSUANT TO THE TOBACCO SETTLEMENT AND RELATED AGREEMENTS WITH TOBACCO MANUFACTURERS, is referred to the Committee on Finance.

By Representatives Baker and Davis:

**H.B. 59**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEFINED CONTRIBUTION PENSION PLAN STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barefoot, Adams, Allen, Bell, Bonner, Boyd-McIntyre, Cunningham, Easterling, Goodwin, Hall, Lucas, Luebke, Oldham, Underhill, Wainwright, Weiss, Womble, and Yongue:

**H.J.R. 60**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GEORGE HENRY WHITE, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, ON THE ONE HUNDRETH ANNIVERSARY OF HIS HISTORIC FAREWELL SPEECH IN THE UNITED STATES CONGRESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell, Davis, Morris, and Russell:

**H.B. 61**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTANGIBLES TAX REIMBURSEMENT TO LOCAL GOVERNMENTS AND MODIFY THE DISTRIBUTION FORMULA, is referred to the Committee on Finance.

By Representatives McAllister, Adams, Fitch, and Oldham:

**H.B. 62**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CERTAIN USES OF CELLULAR TELEPHONES BY AN OPERATOR OF A MOTOR VEHICLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McAllister, Adams, Alexander, Barefoot, Bell, Blue, Bonner, Buchanan, Dedmon, Earle, Easterling, Fitch, Hall, Hensley, Lucas, Wainwright, Weiss, Womble, Wright, and Yongue:

**H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunter:

**H.B. 64**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunter, Baddour, Goodwin, Hall, Rogers, Tolson, Underhill, and Wainwright:

**H.B. 65**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF NONFEDERAL PAYMENTS FOR THE MEDICAID PROGRAM FOR CERTAIN COUNTIES AND TO APPROPRIATE FUNDS TO COVER THE REDUCTION IN COUNTY NONFEDERAL PAYMENTS, is referred to the Committee on Appropriations.

By Representatives Warner, Goodwin, Grady, Harrington, Hurley, Justus, Morris, Russell, Tucker, and Warwick:

**H.B. 66**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA

BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO CORROBORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Cox, Hurley, and Lucas:

**H.B. 67**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT AND CUMBERLAND COUNTIES TO LEVY ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL BUILDINGS AND PUBLIC SCHOOL CURRENT EXPENSES AND FOR WATER AND SEWER CAPITAL OUTLAY PROJECTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Barefoot, Bonner, Buchanan, Cole, Davis, Goodwin, Hall, Harrington, Hill, Holliman, Hurley, Justus, Lucas, McAllister, McLawhorn, Sexton, Teague, Underhill, Wainwright, Warner, Warren, Warwick, and Yongue:

**H.B. 68**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

By Representatives Bowie, Allred, Barbee, Barnhart, Blust, Brubaker, Cansler, Capps, Carpenter, Clary, Cole, J. Crawford, Culp, Daughtry, Davis, Decker, Esposito, Fox, Grady, Gray, Guley, Hilton, Holmes, Johnson, Justus, McAllister, McComas, McCombs, McMahan, Mitchell, Morris, Pope, Preston, Setzer, Sexton, Sherrill, Shubert, Smith, Walend, Warner, C. Wilson, and G. Wilson:

**H.B. 69**, A BILL TO BE ENTITLED AN ACT TO REPEAL, WITH A THREE-YEAR PHASEOUT, THE ANNUAL TRANSFER OF ONE HUNDRED SEVENTY MILLION DOLLARS IN HIGHWAY USE TAX COLLECTIONS FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND FOR THREE YEARS AND TO PROVIDE THAT THOSE FUNDS SHALL BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE, is referred to the Committee on Transportation, if favorable, Finance.

By Representatives Hall, Adams, Allen, Barefoot, Bell, Bonner, Cox, Earle, Gibson, Goodwin, Hackney, Hunter, Lucas, McAllister, Michaux, Oldham, Rogers, Saunders, Teague, Tolson, Warren, and Wright:

**H.B. 70**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE SCOTLAND NECK MEMORIAL LIBRARY, is referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Daughtry, the House adjourns at 2:22 p.m. to reconvene February 8 at 10:00 a.m.

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## TENTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, February 8, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we seek Your guidance and wisdom. Our schedules are full of appointments and our agendas are filled with things to do. Let not the temporal questions that cry out in urgency overcome the deep quest of our souls for wholeness. Let not the search for 'what works' drown out the inquiry for what is best. Teach us to order our lives in ways that honor matters of eternal significance. Let us not become shallow people who ignore the depth of life, but deep people who handle well the trivial and temporal concerns of life. For You have promised that when we seek first Your kingdom, the rest of life will come into perspective. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Buchanan, Hiatt, McAllister, and Redwine for today.

February 8, 2001

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representative West:

**H.B. 71**, A BILL TO BE ENTITLED AN ACT ALLOWING CLAY COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Buchanan, Capps, Culp, Davis, and Morris:

**H.B. 72**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR APPLYING FOR A RELEASE OR REFUND OF PROPERTY TAXES AFTER THE OWNER HAS SURRENDERED THE VEHICLE LICENSE PLATE, is referred to the Committee on Finance.

By Representatives Morris, Hurley, Sexton, Walend, and Warner:

**H.B. 73**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

By Representative Bowie:

**H.B. 74**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF HANDHELD CELLULAR TELEPHONES WHILE OPERATING A VEHICLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 75**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell, Davis, Morris, Sexton, and Warner:

**H.B. 76**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL

HIGHWAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox, Allen, and J. Crawford:

**H.B. 77**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tucker, Alexander, Barefoot, Clary, Coates, Cole, Davis, Fox, Goodwin, Hensley, Hill, Insko, Luebke, McLawhorn, Morris, Sexton, Sherrill, Shubert, Teague, Underhill, Walend, Warner, Warren, Warwick, and Weatherly:

**H.B. 78**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tucker, Alexander, Barefoot, Cansler, Coates, Cox, Sherrill, Warner, and Womble:

**H.B. 79**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TWENTY-FIVE-YEAR RETIREMENT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Tucker, Alexander, Coates, Cox, Warner, and Womble:

**H.B. 80**, A BILL TO BE ENTITLED AN ACT TO INCREASE BENEFITS FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Tucker, Alexander, Coates, Cox, and Womble:

**H.B. 81**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DEATH BENEFIT FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.



By Representatives Tucker, Alexander, Bell, and Sexton:

**H.B. 82**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE MILITARY MUSEUM, is referred to the Committee on Appropriations.

By Representatives Sutton, Barefoot, Bonner, Cansler, Cole, Goodwin, Hall, Hurley, Sexton, Tolson, Underhill, Walend, and Yongue:

**H.B. 83**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton, Barefoot, Bonner, Cansler, Cole, Goodwin, Hall, Hurley, Sexton, Tolson, Underhill, Walend, and Yongue:

**H.B. 84**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A CONSTITUTIONAL AMENDMENT PROVIDING FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY BY MAKING NECESSARY STATUTORY CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton, Alexander, Barefoot, Bonner, Cole, Hall, and Yongue:

**H.B. 85**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sutton, Bonner, and Yongue:

**H.B. 86**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

## CALENDAR

Action is taken on the following:

Committee Substitute for **H.R. 49**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE REGULAR SESSIONS OF THE

February 8, 2001

NORTH CAROLINA HOUSE OF REPRESENTATIVES OF THE 2001  
GENERAL ASSEMBLY.

Representative Blust offers Amendment No. 1 which fails of adoption by electronic vote (47-61).

Representative Blust offers Amendment No. 2 which fails of adoption by electronic vote (37-71).

Representative Blust offers Amendment No. 3.

Representative Pope offers Amendment No. 4, perfecting Amendment No. 3, which fails of adoption, by electronic vote (45-65).

Amendment No. 3 fails of adoption by electronic vote (44-65).

Representative Ellis offers Amendment No. 5 which fails of adoption by electronic vote (28-82).

The resolution is adopted, by electronic vote (108-3), and ordered printed.

On motion of Representative Culpepper, seconded by Representative Jeffus, the House adjourns at 11:02 a.m. to reconvene Monday, February 12, 2001, at 7:00 p.m.

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## **ELEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, February 12, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend James H. Harry, Trinity United Methodist Church, Raleigh, North Carolina, and former House Chaplain.

"Gracious and Merciful God,

"You, above all others embody the perfect definition of wisdom. Your omniscience and omnipotence astounds even the most brilliant of humanity. Yet, Your humility and compassion for creation far surpasses Your desire for power. Impart unto this Body, a portion of these gifts so that we, too, may be faithful stewards of the responsibilities bestowed upon us. More importantly, grant unto each person here the ability to tell the difference between knowledge and humility, power and grace, judgment and compassion, so that in legislating, all of us may be brought closer to finding and offering Your divine will for all of Your children. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Boyd-McIntyre, Holmes, Nesbitt, Redwine, Sutton, Teague, and Thompson for today.

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

The following are introduced, read the first time and referred to committee:

By Representatives Church, Buchanan, Insko, and Kiser:

**H.B. 87**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH TEEN COURT PROGRAMS IN BURKE AND CATAWBA COUNTIES AND TO FUND THE TEEN COURT PROGRAM IN CALDWELL COUNTY, is referred to the Committee on Appropriations.

By Representatives Morris, Alexander, Barbee, Blue, Blust, Bowie, Cansler, Church, Coates, Culp, Davis, Easterling, Fox, Gulley, Harrington, Hensley, Hill, Hunter, Hurley, Insko, Jeffus, Justus, Luebke, McAllister, McLawhorn, McMahan, Nye, Owens, Preston, Rayfield, Setzer, Sexton, Sherrill, Smith, Teague, Underhill, Walend, Warren, Warwick, Weatherly, Weiss, and West:

**H.B. 88**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PREVENTION OF BIRTH DEFECTS, is referred to the Committee on Appropriations.

By Representatives Baddour and Cunningham (Primary Sponsors); Speaker Black; Representatives Alexander, Barefoot, Blue, Church, Cox, Culp, Culpepper, Dedmon, Easterling, Fitch, Fox, Gibson, Grady, Hackney, Haire, Hall, Hill, Insko, Jarrell, Jeffus, Luebke, McAllister, McLawhorn, Michaux, Oldham, Owens, Russell, Saunders, Sherrill, Smith, Sutton, Tolson, Wainwright, Warner, Warren, Warwick, Weiss, G. Wilson, Womble, Wright, and Yongue:

**H.B. 89**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Sutton, Barefoot, Bonner, Buchanan, Goodwin, Haire, Hall, Tolson, Wainwright, and Weatherly:

**H.B. 90**, A BILL TO BE ENTITLED AN ACT TO TIE COMPENSATION INCREASES FOR MEMBERS OF THE GENERAL ASSEMBLY TO PAY RAISES RECEIVED BY STATE EMPLOYEES GENERALLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jeffus and Barefoot (Primary Sponsors); Alexander, Buchanan, Insko, Sherrill, and Wainwright:

**H.B. 91**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR COMPLETION OF THE INFORMATION TECHNOLOGY EXPANSION PROJECT AND THE INFORMATION RESOURCE MANAGEMENT COMMISSION PROJECT CERTIFICATION, is referred to the Committee on Appropriations.

By Representatives Jeffus and Barefoot (Primary Sponsors); Wainwright:

**H.B. 92**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC

RECORDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Insko, and Smith:

**H.B. 93**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON CAUSES OR FALSELY REPORTS SYMPTOMS TO OBTAIN OTHERWISE UNNEEDED MEDICAL CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 94**, A BILL TO BE ENTITLED AN ACT TO SET UP A CUSTOMER SERVICE QUALITY ASSURANCE PROGRAM WITHIN THE STATE AUDITOR'S OFFICE, SO AS TO ENSURE THAT PERSONS RECEIVE QUALITY SERVICES FROM STATE AGENCIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

### COMMITTEE ASSIGNMENTS

The Speaker makes the following committee assignments:

**APPROPRIATIONS**: Representatives Easterling, Oldham, Redwine, and Thompson, Chairs; Representative Owens, Vice Chair.

**SUBCOMMITTEE ON CAPITAL**: Representative Wright, Chair; Representatives Allred, Arnold, Boyd-McIntyre, Brubaker, J. Crawford, Daughtry, Earle, Ellis, Fox, Gillespie, Grady, Haire, Holmes, Howard, Jeffus, Justus, Kiser, Miner, Nesbitt, Sherrill, Shubert, and Tolson.

**SUBCOMMITTEE ON EDUCATION**: Representatives Boyd-McIntyre, Rogers, and Yongue, Chairs; Representatives Bell, Barnhart, Bonner, Carpenter, Holmes, McLawhorn, Michaux, Morgan, Preston, Russell, Smith, Teague, and Warner.

**SUBCOMMITTEE ON GENERAL GOVERNMENT**: Representatives Jeffus and Sherrill, Chairs; Representatives Adams, Barefoot, Lucas, Setzer, and Walend.

**SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**: Representatives Earle and Nye, Chairs; Representatives Cansler, Church, Clary, Creech, Esposito, and Insko.

**SUBCOMMITTEE ON INFORMATION TECHNOLOGY:** Representatives Tolson and Tucker, Chairs; Representatives Baker, Harrington, Hensley, Hilton, Miller, and G. Wilson.

**SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY:** Representatives Culpepper and Haire, Chairs; Representatives Goodwin, Hall, Justus, Kiser, and Sexton.

**SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES:** Representatives Fox and Owens, Chairs; Representatives Culp, Hunter, Mitchell, Underhill, Walker, Warren, Warwick, Weatherly, and West.

**SUBCOMMITTEE ON TRANSPORTATION:** Representatives Cole and J. Crawford, Chairs; Representatives Barbee, Blue, Bowie, Coates, Davis, Dockham, Gulley, Hiatt, McAllister, Saunders, and Sutton.

**FINANCE:** Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs; Representatives Hill and Jarrell, Vice Chairs; Representatives Alexander, Blust, Capps, Cox, Decker, Dedmon, Eddins, Edwards, Fitch, Gibson, Gray, Hackney, Holliman, Hurley, Johnson, McComas, McCombs, McMahan, Morris, Pope, Rayfield, Starnes, Weiss, and Womble.

### INTRODUCTION OF PAGES

Pages for the week of February 12 are introduced to the membership. They are: LaKendra Ellis of Durham; Zachariah Kovarik of Johnston, Jacob Lewis of Randolph, Nicole Newkirk of Johnston, Lisa Padgett of Harnett; Kelly Pait of Bladen; Joseph Powell of Wake; Lamia Saleh of Wake; Raina Smith of Wake; Matthew Todd of Wake; Elizabeth Washington of Wake; Gwendolyn Williams of Wake; and William Woods of Wake.

On motion of Representative Culpepper, seconded by Representative Pope, the House adjourns at 7:18 p.m. to reconvene February 13 at 1:00 p.m.

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## TWELFTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, February 13, 2001

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

February 13, 2001

The following prayer is offered by the Reverend Jonathan Jeffries, Highland United Methodist Church, Raleigh, North Carolina.

"Eternal God,

"You are our light in times of darkness, You are our hope in times of trial, You are our Rock and our Redeemer.

"We confess this day that we are a sinful people in need of Your grace and mercy. We have made decisions based on our own selfishness and desire and not obedience to Your Word. Forgive us we pray. Free us from our sin so we can serve You with clean hearts.

"Thank You for this day and for this wonderful opportunity to serve You, to serve our State and to serve our nation. Thank You for the gifts that we all have been given to help carry out Your will on the earth. Guide us in our tasks and our decisions this day and always.

"Almighty God, we ask Your presence be with all those who suffer this day. We especially lift up the families of those who were injured or who died when one of our submarines surfaced under a Japanese fishing boat. We ask that You would unite all those involved in this tragedy and allow peace and harmony to flourish between nations and people.

"Last but not least we lift up to You the leaders of this great nation - the new administration in Washington, D.C., and the new government officials in North Carolina and all of the states. Provide for them the wisdom to seek kindness, to seek justice and to uphold Your will. All this we ask in Your holy name. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Boyd-McIntyre, Hiatt, Holmes, Nesbitt, Sutton, and Thompson for today.

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

The following are introduced, read the first time and referred to committee:

By Representatives Yongue, Bonner, and Sutton:

**H.B. 95**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton:

**H.B. 96**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HOKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Bonner, and Sutton:

**H.B. 97**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROBESON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Yongue:

**H.B. 98**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Michaux and Haire:

**H.B. 99**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO LEVY A MENU OF LOCAL OPTION TAXES IF APPROVED BY THE VOTERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, Goodwin, and Jeffus:

**H.J.R. 100**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.



**ADDENDA TO COMMITTEE ASSIGNMENTS**

February 13, 2001

The Speaker makes the following committee assignments:

**AGING**: Representative Insko, Chair; Representative Clary, Vice Chair; Representatives Culp, Earle, Lucas, Warwick, and G. Wilson.

**AGRICULTURE**: Representative Hill, Chair; Representatives Bell, Cox, Teague, and Warwick, Vice Chairs; Representatives Allred, Baker, Bonner, Buchanan, Coates, Culp, Davis, Eddins, Fox, Hilton, Kiser, Mitchell, Nye, Rogers, Russell, Tolson, Tucker, Underhill, Warren, Weatherly, G. Wilson, and Yongue.

**CULTURAL RESOURCES**: Representative Barefoot, Chair; Representative Adams, Vice Chair; Representatives Buchanan, McLawhorn, Miner, Mitchell, Morgan, and Womble.

**EDUCATION**: Representatives Bonner and Warner, Chairs; Representative Jeffus, Vice Chair:

**SUBCOMMITTEE ON COMMUNITY COLLEGES**: Representative McLawhorn, Chair; Representatives Arnold and Womble, Vice Chairs; Representatives Allen, Carpenter, Cox, Goodwin, McCombs, Oldham, Rayfield, Sexton, Smith, Tolson, Walend, and West.

**SUBCOMMITTEE ON PRE-SCHOOL, ELEMENTARY AND SECONDARY EDUCATION**: Representative Warren, Chair; Representatives Coates and Tucker, Vice Chairs; Representatives Bell, Cansler, Dockham, Edwards, Gulley, Hiatt, Johnson, Lucas, Miller, Nye, Pope, Russell, Sherrill, Underhill, Walker, Warren, and Weiss.

**SUBCOMMITTEE ON UNIVERSITIES**: Representative Insko, Chair; Representatives Haire and Holmes, Vice Chairs; Representatives Alexander, Barefoot, Barnhart, Blust, Boyd-McIntyre, J. Crawford, Creech, Esposito, Fox, Hilton, McMahan, Michaux, Morgan, Owens, and Thompson.

**ELECTION LAW AND CAMPAIGN FINANCE REFORM**: Representative Alexander, Chair; Representatives Michaux and Nesbitt, Vice

Chairs; Representatives Arnold, Blue, Bonner, Church, Daughtry, Decker, Goodwin, Justus, Kiser, Luebke, Morris, Rayfield, Rogers, Starnes, Weatherly, and Weiss.

**ENVIRONMENT AND NATURAL RESOURCES:** Representatives Gibson, McComas, and Warwick, Chairs; Representatives Cox, Underhill, and Weiss, Vice Chairs; Representatives Allen, Bowie, Culp, Davis, Gillespie, Gray, Gulley, Hackney, Hill, Insko, Luebke, McCombs, Miner, Mitchell, Preston, Smith, and Tucker.

**ETHICS:** Representative Yongue, Chair; Representative Gray, Vice Chair; Representatives Brubaker, Esposito, Holmes, Hurley, Morgan, Saunders, Sutton and Warner.

Representative Culpepper moves, seconded by Representative Warren that the House adjourn, subject to the receipt and referral of Messages from the Senate, to reconvene February 14 at 1:00 p.m.

The motion carries.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

The House stands adjourned at 3:40 p.m.

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## **THIRTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, February 14, 2001

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

February 14, 2001

The following prayer is offered by the Reverend James H. Harry, Trinity United Methodist Church, Raleigh, North Carolina:

"Merciful God,

"Who are we that we should seek an audience with Thee? What right do we have to act in ways that can literally alter the lives of other people? How do we reconcile the plain and simple fact that You alone are sovereign and that we are not?"

"We come to grips with these questions because we rely upon our faith that informs us that we are Your children and we are precious in Your sight. We act and live through our convictions because we know that by Your grace, You have set us apart for this civic responsibility and thus, we are called to exercise these duties under the careful scrutiny of a wise and loving God. Help us, O God, to become humble servants so that in our coming in and in our going out, we may be faithful and true to Thee, to ourselves, and to the people of this great State. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Boyd-McIntyre, Cole, Hiatt, and Holmes for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 Mail Service Center Raleigh, NC 27699-0301**

January 23, 2001

The Honorable James B. Black, Speaker of the House  
North Carolina House of Representatives  
Legislative Building  
Raleigh, North Carolina 27601-1096

Dear Jim:

I write to notify you of the resignation of Commissioner William R. Pittman from the North Carolina Utilities Commission, effective January 24, 2001. He

February 14, 2001

has served with distinction, and leaves the Commission without a key member between now and the expiration of his term on June 30 of this year.

Pursuant to the terms of G.S. 62-10(f) and (g), and in recognition of the urgency of filling this vacancy immediately due to the Commissioner's workload, I hereby appoint Lorinzo Little Joyner to the vacancy created by Commissioner Pittman's resignation. This allows her to be sworn and to serve on an interim basis, pending confirmation by the General Assembly.

Additionally, pursuant to G.S. 62-10(a), I also appoint Ms. Joyner to serve the eight-year term, beginning July 1, 2001, for the seat currently held by Commissioner Pittman. This appointment is also subject to confirmation by the General Assembly.

Thank you for your continued hard work for the citizens of North Carolina and I look forward to working with you during the 2001 legislative session.

With warmest personal regards, I remain

Very truly yours,  
S/ Mike Easley  
Governor

The Speaker refers the letter to the Committee on Public Utilities.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Baker, Buchanan, and Capps:

**H.B. 101**, A BILL TO BE ENTITLED AN ACT TO REVISE THE EXEMPTION FOR SALES BY A NONPROFIT ORGANIZATION WHEN THE NET PROCEEDS OF THE SALE BENEFIT THE STATE OR ONE OF ITS INSTRUMENTALITIES OR AGENCIES, is referred to the Committee on Finance.

By Representatives Hill, Alexander, Allen, Baddour, Barefoot, Buchanan, Cansler, Church, Cox, J. Crawford, Edwards, Esposito, Gray, Hilton, Hurley, Jarrell, Jeffus, Luebke, McLawhorn, Morris, Owens, Pope, Preston, Rayfield, Redwine, Russell, Shubert, Teague, Tucker, Wainwright, Warner, Warren, Warwick, and Weiss:

**H.B. 102**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF TO LOW-INCOME ELDERLY AND DISABLED HOMEOWNERS, is referred to the Committee on Finance.

By Representatives Yongue and Bonner:

**H.B. 103**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue and Bonner:

**H.B. 104**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SCOTLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt, Cansler, Sherrill, and Walend (Primary Sponsors):

**H.B. 105**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE

USED, AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 106**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, is referred to the Committee on Education.

By Representatives Baker, Arnold, Barbee, Blust, Brubaker, Buchanan, Cansler, Church, Cox, J. Crawford, Culp, Daughtry, Davis, Decker, Eddins, Ellis, Fitch, Gibson, Harrington, Hill, Hilton, Hunter, Johnson, Justus, McAllister, McComas, Mitchell, Morris, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Smith, Walend, Walker, West, G. Wilson, Womble, and Wright:

**H.B. 107**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire, Carpenter, and West:

**H.B. 108**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE, GRAHAM, HAYWOOD, JACKSON, MADISON, AND SWAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Earle, Easterling, Fox, Goodwin, Hackney, Hall, Hill, Insko, Jarrell, Luebke, Preston, Underhill, Wainwright, Weiss, Wright, and Yongue:

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cole, Allen, Barefoot, Buchanan, Church, J. Crawford, Davis, Dedmon, Esposito, Fox, Goodwin, Grady, Haire, Harrington, Hill,  
February 14, 2001

Hurley, Jarrell, McAllister, McLawhorn, Morris, Owens, Pope, Preston, Rogers, Saunders, Wainwright, Warner, Warwick, and Yongue:

**H.B. 110**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES, is referred to the Committee on Finance.

By Representatives Allen, Alexander, Arnold, Barefoot, Blue, Bonner, Buchanan, Cansler, Coates, Davis, Dockham, Edwards, Esposito, Goodwin, Grady, Haire, Hilton, Hurley, Jeffus, Johnson, Luebke, McMahan, Miner, Mitchell, Morris, Owens, Pope, Preston, Rogers, Setzer, Tolson, Wainwright, Warner, Weatherly, and Weiss:

**H.B. 111**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN GOVERNMENT PURCHASES FROM STATE AND LOCAL SALES TAX AND TO ALLOW A SALES TAX REFUND TO COMMUNITY COLLEGES, is referred to the Committee on Finance.

By Representatives McComas, Hill, Miner, Nye, Redwine, and Wright:

**H.B. 112**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE, is referred to the Committee on Transportation.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b) and **S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

**ADDENDA TO COMMITTEE ASSIGNMENTS**

February 14, 2001

The Speaker makes the following committee assignments:

**ALCOHOLIC BEVERAGE CONTROL:** Representative Gibson, Chair; Representative Hensley, Vice Chair; Representatives Baker, Creech, Decker, Hall, Hunter, and Starnes.

**CHILDREN, YOUTH AND FAMILIES:** Representatives Boyd-McIntyre and Hunter, Chairs; Representative Warren, Vice Chair; Representatives Easterling, Hiatt, Jeffus, Johnson, McAllister, Mitchell, Morris, and Pope.

**CULTURAL RESOURCES:** Representative Barefoot, Chair; Representative Adams, Vice Chair; Representatives Buchanan, McLawhorn, Miner, Mitchell, Morgan, and Womble.

**ECONOMIC GROWTH AND COMMUNITY DEVELOPMENT:** Representatives Cole and Morris, Chairs; Representative Holliman, Vice Chair; Representatives Alexander, Cansler, Carpenter, Goodwin, Hunter, Walend, West, and Womble.

**FINANCIAL INSTITUTIONS:** Representatives Church and Morgan, Chairs; Representative McAllister, Vice Chair; Representatives Brubaker, Buchanan, Cole, Culpepper, Dockham, Gibson, Howard, McLawhorn, Miller, Miner, Smith, and Walend.

**HEALTH:** Representative Wright, Chair; Representative Edwards, Vice Chair; Representatives Allred, Barnhart, Buchanan, Clary, J. Crawford, Earle, Howard, Hunter, Insko, Justus, Nye, Rogers, Sherrill, and Wainwright.

**HIGHWAY SAFETY AND LAW ENFORCEMENT:** Representatives Dedmon and Kiser, Chairs; Representatives Bell, Capps, Cole, Dockham, Teague, and Yongue.

**INSURANCE:** Representatives Dockham and Hurley, Chairs; Representatives Barbee and Hall, Vice Chairs; Representatives Blue, Brubaker, Dedmon, Grady, Hall, Hunter, Johnson, Redwine, Saunders, Setzer, Wainwright, Warner, and C. Wilson.

**JUDICIARY I:** Representative Hackney, Chair; Representatives Blue and Nesbitt, Vice Chairs; Representatives Alexander, Arnold, Blust, Boyd-McIntyre, Clary, Gray, Insko, Redwine, Sutton, Thompson, and Walker.



**JUDICIARY II:** Representative Baddour, Chair; Representatives Fitch and Haire, Vice Chairs; Representatives Bowie, Culpepper, Decker, Gulley, Hall, Jeffus, Justus, Miller, Miner, Pope, Sherrill, and Weiss.

**JUDICIARY III:** Representative Goodwin, Chair; Representatives Barefoot and Michaux, Vice Chairs; Representatives Bonner, Cansler, Cole, J. Crawford, Daughtry, Esposito, Hensley, Holmes, Jarrell, Kiser, Russell, and Weatherly.

**LOCAL GOVERNMENT I:** Representative Dedmon, Chair; Representative McAllister, Vice Chair; Representatives Adams, Buchanan, Decker, Ellis, Gibson, Hensley, Hill, Kiser, Saunders, Setzer, and Teague.

**LOCAL GOVERNMENT II:** Representative Jarrell, Chair; Representatives Barbee, Capps, Gillespie, Haire, Hurley, Owens, Rogers, Walker, Warren, C. Wilson, G. Wilson, and Womble.

**MENTAL HEALTH:** Representative J. Crawford, Chair; Representatives Esposito and Insko, Vice Chairs; Representatives Bell, Cansler, Carpenter, Gillespie, Holliman, Lucas, Rayfield, Underhill, and G. Wilson.

**MILITARY, VETERANS AND INDIAN AFFAIRS:** Representatives Hurley and Warner, Chairs; Representative Lucas, Vice Chair; Representatives Davis, Goodwin, Hiatt, McAllister, Morris, Sexton, Shubert, and Smith.

**PENSIONS AND RETIREMENT:** Representatives Barefoot and Cox, Chairs; Representative McCombs, Vice Chair; Representatives Barbee, Easterling, Hensley, Morgan, Oldham, Rogers, Shubert, Starnes, Tolson, C. Wilson, G. Wilson, and Yongue.

**PUBLIC HEALTH:** Representative Edwards, Chair; Representative Cansler, Vice Chair; Representatives Coates, Creech, Easterling, Hiatt, McAllister, Preston, Underhill, and Weiss.

**PUBLIC UTILITIES:** Representative Smith, Chair; Representatives McComas and Saunders, Vice Chairs; Representatives Allred, Brubaker, Coates, Culpepper, Edwards, Grady, Holmes, Hurley, McCombs, and Rogers.

**SCIENCE AND TECHNOLOGY:** Representative Saunders, Chair; Representative Miller, Vice Chair; Representatives Boyd-McIntyre, Clary, Gibson, Gray, Harrington, Hilton, Johnson, Tolson, Tucker, Wainwright, and Walend.

**STATE GOVERNMENT:** Representative Jarrell, Chair; Representatives Adams, Baker, Bonner, Brubaker, Cansler, Church, Coates, Cox, Creech, Gibson, Hensley, Holmes, Luebke, McComas, Owens, Preston, Teague, and West.

**STATE PERSONNEL:** Representatives Hensley and Womble, Chairs; Representative Fitch, Vice Chair; Representatives Bell, Easterling, Ellis, Kiser, Oldham, Russell, Sherrill, and Walker.

**TRANSPORTATION:** Representative Saunders, Chair; Representative Barnhart, Vice Chair; Representatives Allen, Buchanan, Clary, Cole, J. Crawford, Dedmon, Earle, Eddins, Hill, Hilton, Holliman, Lucas, McComas, McLawhorn, Nye, Sexton, Sherrill, Shubert, Sutton, Teague, Walker, Warwick, and C. Wilson.

**TRAVEL AND TOURISM:** Representatives Barefoot and Teague, Chairs; Representative Nesbitt, Vice Chair; Representatives Earle, Fox, Hunter, Jeffus, Preston, Rayfield, and Weatherly.

**UNIVERSITY BOARD OF GOVERNORS NOMINATING:** Representative Oldham, Chair; Representative Boyd-McIntyre, Vice Chair; Representatives Allen, Barbee, Barnhart, Bonner, J. Crawford, Goodwin, Gray, Gulley, Haire, Hensley, Holmes, Justus, McComas, McLawhorn, McMahan, and Sherrill.

**WAYS AND MEANS:** Representative Allred, Chair; Representatives Blue, Bowie, Cox, Decker, Eddins, Haire, McMahan, Michaux, Morris, Nye, Oldham, Pope, Redwine, Starnes, and Weiss.

**WILDLIFE RESOURCES:** Representative Gulley, Chair; Representatives Bonner, Buchanan, Hensley, Hiatt, Lucas, Sexton, Smith, and West.

**CONGRESSIONAL REDISTRICTING:** Representatives McMahan and Wright, Senior Chairs; Representatives Alexander, Hill, Dockham, and Thompson, Regional Chairs; Representatives Adams, Bowie, Boyd-McIntyre, Clary, Cox, Creech, Culpepper, Daughtry, Davis, Decker, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Gray, Hurley, Jarrell, McCombs, Michaux, Mitchell, Morris, Nesbitt, Pope, Russell, Saunders, Sexton, Tolson, Walend, Warner, and Warren.

**LEGISLATIVE REDISTRICTING:** Representatives Justus and Sutton, Senior Chairs; Representatives Baddour, Dedmon, Earle, Gulley, Hackney,

McComas, Morgan, and Sherrill, Regional Chairs; Representatives Allred, Barnhart, Blue, Bonner, Buchanan, Carpenter, Church, J. Crawford, Culp, Cunningham, Esposito, Grady, Haire, Hiatt, Johnson, Kiser, Luebke, McLawhorn, Miner, Nye, Oldham, Owens, Rayfield, Redwine, Rogers, Setzer, Smith, Teague, Wainwright, Warwick, Weatherly, and West.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

On motion of Representative Culpepper, seconded by Representative Dedmon, the House adjourns at 1:37 p.m. to reconvene February 15 at 10:00 a.m.

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## FOURTEENTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, February 15, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend James H. Harry, Trinity United Methodist Church, Raleigh, North Carolina:

"Most Gracious God,

"Great are You and worthy are You to be praised. The mountain tops glisten with Your glory. The waters of the deep rush forward with Your awesome power. The birds of the air sing out loud and tell the story of Your divine love for all of Your creation.

"God of us all, Your love never ends. Give to each one of us spiritual eyes to see how our daily efforts in this room affect the vast number of people who are not here with us, yet who give witness to the same wonders of Your creative imagination. Let our work be for the mutual benefit of those who have surrendered us from our collective hometowns and sent us to this place to work on their behalf. Let neither partisanship nor personal ambition derail us from honoring those who placed their trust in us. Thus, we place our trust in You, O God, and ask that by Your great mercy, You would guide us in all our ways. Amen."

February 15, 2001

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Creech, Hiatt, Holmes, and Warner for today.

### **ENROLLED BILL**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 128.** A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES. (RESOLUTION 2001-2)

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

The following are introduced, read the first time and referred to committee:

By Representative Tolson:

**H.B. 113,** A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS AMENDMENTS REGARDING THE GLOBAL TRANSPARK DEVELOPMENT ZONE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Barefoot, Esposito, Hurley, Justus, Lucas, Morris, and Wainwright:

**H.B. 114,** A BILL TO BE ENTITLED AN ACT TO DESIGNATE U.S. HIGHWAY 70 IN NORTH CAROLINA AS THE "BLUE STAR MEMORIAL AND AMERICAN EX-PRISONERS OF WAR HIGHWAY", is referred to the Committee on Transportation.

By Representative Baker:

**H.B. 115**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING BUSINESS TRANSACTIONS INVOLVING PUBLIC FUNDS, is referred to the Committee on Judiciary III.

By Representative Hill:

**H.B. 116**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

**H.B. 117**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF COLUMBUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

**H.B. 118**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hill:

**H.B. 119**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BRUNSWICK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell, Insko, Morris, and Shubert:

**H.B. 120**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE HOME AND COMMUNITY CARE BLOCK GRANT FOR SERVICES TO IMPAIRED OLDER ADULTS, is referred to the Committee on Appropriations.

By Representatives Russell, Bowie, Cox, Gillespie, Hurley, Insko, Justus, Morris, Sexton, Shubert, Walend, and Warwick:

**H.B. 121**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS ACROSS THE STATE, is referred to the Committee on Appropriations.

By Representatives Russell, Bowie, Cansler, Esposito, Hurley, Justus, Morris, Sexton, Sherrill, and Walend:

**H.B. 122**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PRESCRIPTION DRUG ASSISTANCE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Russell and Sherrill:

**H.B. 123**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE ARSON, is referred to the Committee on Judiciary III.

By Representatives Insko, Earle, Morris, and Wainwright:

**H.B. 124**, A BILL TO BE ENTITLED AN ACT TO ALLOW A PASS-THROUGH ENTITY TO ALLOCATE A HOUSING TAX CREDIT TO ANY OF ITS OWNERS AT THE DISCRETION OF THE PASS-THROUGH ENTITY, is referred to the Committee on Finance.

By Representatives Hall, Hunter, and Wainwright:

**H.B. 125**, A BILL TO BE ENTITLED AN ACT TO ALLOW A PORTION OF THE 911 CHARGES IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR PURPOSES OTHER THAN EQUIPMENT AND RATES ASSOCIATED WITH SUPPLIER SERVICE, is referred to the Committee on Public Utilities.

By Representative Rayfield:

**H.B. 126**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield:

**H.B. 127**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 128**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 129**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 130**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 131**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 132**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 133**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HYDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 134**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, Barefoot, Bowie, Justus, and Sherrill:

**H.B. 135**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TRAUMATIC BRAIN INJURY UNIT IN GOLDSBORO, is referred to the Committee on Appropriations.

By Representatives Baddour, Alexander, Barefoot, Luebke, Sherrill, and Wainwright:

**H.B. 136**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A CHILDREN AND YOUTH PSYCHIATRIC FACILITY AT CHERRY HOSPITAL, is referred to the Committee on Appropriations.

By Representatives Baddour and Alexander:

**H.B. 137**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL FINE AND CIVIL PENALTY FOR FAILURE TO HAVE AUTOMOTIVE FINANCIAL RESPONSIBILITY AND TO MAKE TECHNICAL AND CONFORMING CHANGES, is referred to the Committee on Judiciary II.

By Representatives Baddour, Alexander, and Insko:

**H.B. 138**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PROCEDURES IN THE JUVENILE CODE FOR JUVENILES WHO LACK THE CAPACITY TO PROCEED, is referred to the Committee on Judiciary II.

By Representatives Womble, Alexander, Barefoot, Bell, Blue, Bonner, Cox, Earle, Esposito, Fitch, Fox, Goodwin, Gray, Hall, Hensley, Hill, Holliman, Hunter, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Oldham, Sexton, Sutton, Tolson, Wainwright, Warren, Weiss, and Yongue:

**H.J.R. 139**, A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representatives Sutton, Alexander, Boyd-McIntyre, Fitch, Goodwin, Hackney, Hall, Insko, Lucas, Luebke, McAllister, Wainwright, Weiss, and Womble:

**H.B. 140**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FAIR AND RELIABLE IMPOSITION OF CAPITAL SENTENCES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Sutton, Alexander, Barefoot, Blue, Bowie, Boyd-McIntyre, Earle, Fitch, Goodwin, Hackney, Hall, Hensley, Hunter, Insko, Lucas, Luebke, McAllister, Michaux, Miller, Oldham, Shubert, Wainwright, Weiss, Womble, and Yongue:

**H.B. 141**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Sutton, Alexander, Barefoot, Bonner, Hackney, Haire, Insko, Lucas, McAllister, Tolson, Wainwright, Weiss, Womble, and Yongue:

**H.B. 142**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES AND TO REQUIRE THAT THOSE PERSONS BE REGISTERED WITH THE SECRETARY OF STATE; TO REQUIRE JUDICIAL APPROVAL BEFORE A TWELVE-OR THIRTEEN-YEAR-OLD APPLICANT MAY BE MARRIED; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Tucker, Allen, Gillespie, Hill, Hurley, Jarrell, Justus, Luebke, Pope, Wainwright, and Walend:

**H.B. 143**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION, is referred to the Committee on State Government.

### **ESCORT COMMITTEE ANNOUNCED**

The Speaker Pro Tempore appoints the following members as an Escort Committee for the Governor, pursuant to **S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES: Representatives Redwine, Hill, Baddour, Daughtry, Oldham, and Alexander.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative McComas, the House adjourns at 10:08 a.m. to reconvene Monday, February 19, 2001, at 6:30 p.m.

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## **FIFTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, February 19, 2001

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving Lord,

"You have created us and placed us upon this earth. You provide for our needs and watch over our lives. In Your care we live each day and under Your watchful guidance we exist. And yet, we want to be in charge of our lives. We want to control our destiny. We want to make our way. And yet, there is so much in the world that is beyond our control.

"Forgive us, O Lord, for so trusting ourselves that we would prefer ulcers to the peace which Your Spirit offers; that we would prefer worry wrinkles on our brow to laughter lines by our lips, that we would prefer fear of the future to rest borne of faith. Reveal to us Your providence and remind us of Your provision. For the fields and valleys are clothed in splendor and the creatures of the wild find food and lodging. Come Lord, shelter us from our concern and grant us the blessed release of faith, that we might entrust our future to You and in so doing, find peace for our spirits and rest for our souls. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Buchanan and Earle for today.

## INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Buchanan, Cansler, Gillespie, and West:

**H.B. 144**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADMINISTRATIVE FLEXIBILITY TO SCHOOLS THAT ARE CLOSED DUE TO INCLEMENT WEATHER, is referred to the Committee on Education.

By Representative Setzer:

**H.B. 145**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWNS OF TROUTMAN AND CATAWBA FROM THE LIMIT ON THE SIZE OF SATELLITE ANNEXATIONS, is referred to the Committee on Finance.

By Representatives Luebke, Allen, Gray, Hill, Jarrell, Pope, and Tucker:

**H.B. 146**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX CREDITS, is referred to the Committee on Finance.

By Representative Wainwright:

**H.B. 147**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF FUNDS THAT MAY BE USED TO ADMINISTER THE FISHERIES RESOURCE GRANT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources.

By Representative Wainwright:

**H.B. 148**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources.

By Representative Wainwright:

**H.B. 149**, A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources.

By Representatives Allen, Gray, Hill, Jarrell, Luebke, Pope, and Tucker:

**H.B. 150**, A BILL TO BE ENTITLED AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER, is referred to the Committee on Finance.

By Representative Owens:

**H.B. 151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LEGISLATIVE TUITION GRANT MAY BE PAID TO A STUDENT WHO ATTENDS A BIBLE COLLEGE THAT MEETS THE SAME

CRITERIA AS OTHER PRIVATE SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 152**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "TOURISM ABC ESTABLISHMENT", is referred to the Committee on Alcoholic Beverage Control.

By Representative Haire:

**H.B. 153**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 154**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRAHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 155**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SWAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 156**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 157**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JACKSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hall, Rogers, and Tolson:

**H.B. 158**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EDGEcombe COUNTY, HALIFAX COUNTY, MARTIN COUNTY, AND NASH COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE

TAX FOR CAPITAL OUTLAY AND INFRASTRUCTURE IMPROVEMENT PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Hall, and Warren (Primary Sponsors); and Sexton:

**H.B. 159**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BEAR HUNTING SEASON IN MARTIN COUNTY APPLIES TO THE ENTIRE COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Gulley:

**H.B. 160**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE AND RENOVATE THE MATTHEWS COMMUNITY CENTER AND EXPAND ITS STAGE AREA, is referred to the Committee on Appropriations.

By Representatives Insko, Earle, Luebke, Warren, and Womble:

**H.B. 161**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE DESIGNATION OF A LEAD AGENCY FOR LONG-TERM CARE PLANNING, is referred to the Committee on Aging and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Alexander, Earle, and Warren:

**H.B. 162**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO ESTABLISH THE RATES FOR REIMBURSEMENT FOR ADULT DAY SERVICES FROM THE HOME AND COMMUNITY CARE BLOCK GRANT FUND, is referred to the Committee on Health.

By Representatives Jarrell, Adams, Alexander, Blust, Bowie, Boyd-McIntyre, Culp, Decker, Jeffus, and Sexton:

**H.B. 163**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS, is referred to the Committee on Local Government II.

By Representative Baker:

**H.B. 164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMOBILE INSURANCE PREMIUM DISCOUNTS FOR CERTAIN PERSONS WHO COMPLETE ACCIDENT PREVENTION COURSES, is referred to the Committee on Insurance.

By Representatives Sherrill, Alexander, Cansler, Gulley, Jeffus, Johnson, Justus, and Walend:

**H.B. 165**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM, is referred to the Committee on Appropriations.

By Representatives Capps, Davis, Mitchell, and Pope:

**H.B. 166**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FAMILY FARM PROPERTY FROM GIFT TAX, is referred to the Committee on Finance.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
February 15, 2001

Mr. Speaker:

Pursuant to **S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the President Pro Tempore appoints the following Senators as a committee on the part of the Senate to escort Governor Easley to the Joint Session in the Hall of the House of Representatives at 7:00 p.m. Monday, February 19, 2001.

Senator Soles, Chairman  
Senator Ballance

February 19, 2001

Senator Ballantine  
Senator Lucas  
Senator Rand

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### INTRODUCTION OF PAGES

Pages for the week of February 19 are introduced to the membership. They are: Evan Allen of Wake; Lauren Bailey of Yancey; Jade Bost of Davidson; Meghan Brown of Wake; Joshua Flowers-Finch of Johnston; Cortney Holcombe of Yancey; Regina Holmes of Wake; Julia Marshall of Buncombe; Christina Prasnika of Wake; Randy Pulley of Wake; Marie Riddle of Buncombe; Nicholas Russ of Hyde; John David Shepard of Montgomery; Sarah Shepard of Montgomery; William Gladstone Slade of Wake; Michael Stanley of Wake; Keosha Surlis of Wake; Sarah Suttles of Wake; Amanda Stricklin of Robeson; Dustin Walker of Randolph; Jordan White-Finch of Johnston; and Margaret Wilson of Gaston.

Representative Culpepper moves, seconded by Representative Baddour, that the House adjourn, upon dissolution of the Joint Session, to reconvene February 20 at 2:00 p.m.

The motion carries.

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

### 2001 GENERAL ASSEMBLY FIRST SESSION

#### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
February 19, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **S.J.R. 128**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO

February 19, 2001



PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Beverly E. Perdue, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice, the Associate Justices of the Supreme Court, and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State and the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of United States Senator John Edwards who is seated for the Joint Session.

The Speaker extends the courtesies of the gallery to Mrs. Mary Easley, First Lady of North Carolina, and Mr. Robert Eaves, husband of the Lieutenant Governor, and all other invited guests; and courtesies of the floor to the members of the Governor's Cabinet, the Council of State, and the Judiciary.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters, escorted by Senators Soles, Ballance, Ballantine, Lucas, and Rand, and Representatives Redwine, Hill, Baddour, Daughtry, Oldham, and Alexander.

The President recognizes Senator Soles, who presents his Excellency, Michael F. Easley, Governor of North Carolina, to the Joint Assembly.

### STATE OF THE STATE ADDRESS

"Before I begin tonight, I'd like to take just a moment to remember one of North Carolina's greatest Ambassadors of good will, the 'Great Competitor'. Dale Earnhardt, Sr., lost his life yesterday suddenly and tragically. Please join me in a moment of silence for the Earnhardt family.

"Thank you.

"Mr. Speaker. Senator Basnight. Lieutenant Governor Perdue. Members of the General Assembly. Mr. Chief Justice and Members of the Appellate Court, Members of the Council of State. Honored Guests. Fellow citizens.

"I am proud to stand here before you tonight at the beginning of a bright new age for North Carolina.

"And, I'm proud that my family is here with me. My wife and best buddy, Mary, and our son, Michael. The last place Michael wanted to be tonight was...Well, you've got a lot in common. When I think of them, I think of all of North Carolina families and our great future.

"We leave behind a decade that will long be remembered as one of the most rewarding in our history. Through triumph and great tragedy, the people of North Carolina rallied together like never before - for our schools, our communities, and for our families.

"Our citizens poured out their hearts and their souls and helped North Carolina blossom into the finest place in all of America to live and raise a family.

"Our eastern counties, completely devastated a little less than a year and a half ago, are rebuilding with great vision and great courage.

"Our universities and community colleges are among the best in the nation.

"Our crime rate is lower than it's been in a generation.

"And, for the first time in recent memory, the rest of the country is looking to North Carolina as the standard for improvement in education and childcare.

"I want to personally thank you for putting people first and putting party differences aside. Good government is not about Democrats and Republicans. It's about children, seniors and working families. And, you put them first.

"I began working with you back when I was a prosecutor trying to toughen criminal laws in the 70s and 80s. And, as Attorney General, we worked together on almost every issue facing this State.

"I know when I set out to reach a national tobacco settlement, many of you had doubts but you stuck with me; when I set out to remove the prison cap, again you had doubts, but you stuck with me; and when we set out to stop predatory lending, again we worked together. I believe tonight that the same bipartisan spirit we have enjoyed for so long will continue over the next four years.

"But too often, in my opinion, history records progress in this State under the name of the Governor's administration. Too often, we fail to recognize the vision and the leadership that exists in the halls of the General Assembly. Year after year, session after session, you have to make the tough calls and often suffer the consequences. So, I think it's right that we remember that tonight and on behalf of the people of the State of North Carolina, I say 'thank you' to all of you.

"You're the first Legislature of the new century. You have a chance to be remembered as the group that brought sustained progress to North Carolina. You have a chance to make history and be remembered for it.

"In the past, our progress and economic prosperity has run in cycles. We've invested in education in good times, and then failed to complete the job when the economy slows. Our State has seen this cycle repeated decade after decade. We make great progress, only to see it erode.

"Friends, we've come too far this time. We have too much invested and too much left to do. What took decades to build will be lost overnight if we fail to make the critical investments in our people.

"Any state can make progress in good times. But it's the great states that make progress in tough times. It is the darkest hours that draw out our brightest stars. And now is the time for North Carolina to shine.

"For again, as we move from decade to decade, we face another budget shortfall.

"Again, we face the challenge. Again, we stand at the crossroads. We can go forward or we can let the budget turn us back. I have made my decision. I am going forward - and I need you to go with me.

"Tonight, I urge you to be restless and to be dissatisfied with the status quo. If we're going to make progress, we have to be willing to change. The people of this State want change. They want progress. It is our job to see that they get it.

"We'll have a balanced budget by June 30. That's my job and I'm going to do it.

"But next year's budget is one we write together. We'll make tough calls and make sure the budget is balanced. We must remove the deficit in the budget without compromising our progress.

"What bothers me most is not so much the budget as it is our attitude. We have a six to eight year momentum going now, and I don't want to see us get bogged down in the budget and fail to go forward.

"I was in church yesterday watching people walk down the aisle going to communion. I probably shouldn't have been watching, but I was and there were all different sorts of people. There were older people. There were younger people. People with blue collar, white collar, carrying children, walking with little toddlers by their side, holding their hands as they went down the aisle. And I thought they didn't elect us to balance the budget. That's a given. They think that's done. We are supposed to do that. They elected us to bring them some opportunities to make for a higher and better quality of life for all of our citizens. That's what we are here for--for them. We have a responsibility to look ahead - to look ahead beyond budget cycles and legislative terms. We have to think in terms of lives - the lives of all of our people and the quality of life they all enjoy.

"So tonight, I urge you to stand with me in a commitment to One North Carolina where every citizen in every region has a fair chance to succeed.

"North Carolina values require that we all work together to spread our success, not by taking wealth from any region, but by sharing opportunity and expertise with every region.

"North Carolina must be one state where opportunity is equal.

"No Excuses. We cannot accept excuses.

"No Excuses means investing in our people.

"It means maintaining our commitment to education by making sure that every child in every county has every opportunity to succeed, regardless of economic condition.

"It means taking care of our seniors, those who took care of us for so long.

"It means protecting patients' rights.

"It means keeping North Carolina competitive in the global marketplace.

"It means protecting our environment so that our children can swim in the same waters and harvest the same land that we did.

"It means not using a tough economy as a reason to quit.

"Next year, more than 100,000 five-year-olds are going to start kindergarten, whether the economy is strong or the economy is weak.

"More than 1.3 million children will fill our classrooms to pursue a quality education, whether interest rates are low or interest rates are high.

"Those with illness and those with disabilities will still need our help, whether Wall Street is up or Wall Street is down.

"We must meet the needs of our people in good times as well as in bad. For it is during the tough times that we test our leadership and our character and our commitment to the Golden Rule.

"Other states can choose their own course - but we in North Carolina choose to go forward.

"Our schools have made great strides, but in many parts of our State they are simply not the schools our children deserve.

"When we talk about being number one in education, let's stop and think about the context in which we are speaking. We basically have four parts to education in North Carolina and we are leading the way in three of them.

"The first is early childhood development where we are a national model in Smart Start. The second is the university system. We were the first in the country to start a state-supported university and we remain the envy of the nation today. The third is our community colleges, considered one of the most comprehensive systems in the country.

"And the fourth is K-12. It makes absolutely no sense that we can be a national leader in three of those categories yet lag behind in K-12. We can't be satisfied to be a leader in most categories of education. We must be a leader in every category of education.

"We can be number one across the board.

"We're making real progress. We're beginning to turn the corner.

"And we cannot stop now. We can't let a budget shortfall become an education shortfall.

"This year, we have to break that cycle, finish the job, overcome any barrier to let those young minds flourish.

"We can't make excuses.

"I am here to tell you, people are sick and tired of us investing in but coming up short in education. They don't want excuses - they want solutions. We're going to have to provide them.

"If we want our students to succeed, they must arrive at the school-house door ready to learn...and once inside, they need an encouraging environment that allows them not just to pass but to excel.

"Tonight, I'm proposing a two-part initiative designed to give children the boost they need during the early learning years.

"First, the creation of a voluntary statewide pre-kindergarten program to prepare at-risk four-year olds for school. We know it works.

"Each year, our state lets thousands of at-risk four-year olds go without the help they need. There's no excuse. Those children deserve the chance to succeed. Pre-k programs are already making progress in 40 other states, including a highly successful program in Georgia. And, I won't tell you how they fund it.

"Our children deserve the same opportunity.

"With a pre-k program we can close the achievement gap that has been tolerated for far too long in this State. We will not be part of a system of education that discriminates against even one child in this State. Pre-k and smaller class size will solve that problem.

"Next, we have to take steps to ensure that the progress made in pre-k won't be lost in grade school.

"We must reduce class size to 18 or below in grades K-3. Students in smaller classes are more likely to stay in school, stay out of trouble, graduate and go to college. We have great universities in North Carolina, let's educate our children so that they can use them.

"I'm asking you, the 2001 Legislature, to take this step for our children and for our State.

"More testing alone is not the answer. Students need more knowledge. They must have a better environment to learn more if we expect them to score more.

"Almost 40 percent of our children are in classes of 26 or larger. That's just too big.

"The best research, from the Rand Institute, the Tennessee Star program and our own Burke County, shows that smaller classes translate into higher performance. Smaller classes allow for more one-on-one instruction so that teachers can teach and students can learn. Achievement goes up, discipline problems go down. They don't get involved in as much juvenile crime - and teachers are more likely to stay in the profession.

"We know it works. It's working right now in Burke County. They are following the model that I am recommending tonight. Those students in

small classes outperformed their peers and continued outperforming them throughout their academic career.

"We know smaller classes work, there's no excuse not to do it.

"Now North Carolina is recognized for real accountability and high standards. But accountability is simply enforcing those standards - and rewarding those who meet the standards and sanctioning those who don't. But we're simply not doing enough to help our students reach those standards.

"We can set all the standards we want and we can demand all the accountability we like, but unless we have those tools in place to help students learn more, they're not going to improve. Pre-k and lower class size are the tools that work. We need that we know. If you give good teachers lower class sizes, they'll give you higher test scores. That much I guarantee.

"But they must be good teachers. That's why we must invest in the Teaching Fellows program. It's based on a very simple principle: we pay teachers to go to school and they pay us back by teaching school. It helps us get and keep high-quality educators.

"Now the fun part. There's no free lunch. It takes revenue. And I'm not talking about pocket change we find under the seats of the couches. Trust me, I've been there and I've gotten all that. And, I didn't find any in the Governor's office. You're not going to find much over here either.

"But in this tight fiscal environment, it's going to take some creative solutions to continue funding real progress in education.

"The truth is, North Carolina is already funding smaller classes and education improvements. Unfortunately, we're funding them in other states...in Virginia, in Georgia, and soon in South Carolina and Tennessee. We are spending hundreds of millions of dollars - North Carolina dollars - to build new schools in other states, while we're packing our kids in trailers here at home. We are the only state that plays the lottery and gives away the proceeds.

"And I want to keep North Carolina's money in North Carolina's schools for North Carolina's children. Those resources should be here.



"And Senator Edwards, who I want to thank for being here tonight, sees it going on all over the country.

"And I'm tired of seeing our money go out of this State.

"Now I am not saying a lottery for education is the only solution, it's just one solution. And if anyone here or anyone in the whole wide world has a better idea...another way to find the \$400 - \$500 million for education, then I'm open to it. Show me the money.

"But you can't just say I'm against a lottery for education. You have to finish the sentence - tell me what you're for, because next year 100,000 five-year olds are going to show up at the schoolhouse door and they deserve more than an overcrowded classroom with an underpaid and overworked teacher.

"They deserve to know what we are for - that we stand for a system that works for all children - No Achievement Gaps, No Excuses.

"I want to be evenhanded about this. Those of you who strongly oppose a lottery, I can provide you with four governors who will stand with you at a press conference and say that North Carolina should have no lottery for education or any other reason. They are the Governors of South Carolina, Virginia, Tennessee and Georgia. They want to keep our money coming into their State.

"And we can do a lot with education that doesn't take much money. I talked earlier about four parts of education. There is another part that I believe is just as critical if not more so - and that's parental involvement. As parents, we must make it a priority to be a part of our child's education.

"Let's put school accountability report cards in every household to tell parents exactly how many children are in their child's class and whether the teacher is certified in the subjects that they are teaching. That will get parents informed, empowered and involved.

"And you know, we like to believe that children are taught respect, responsibility and character at home and in church - but the sad truth is; so many of them are not. And, if they don't learn it at the schoolhouse, the next stop is the courthouse.

"I'm asking school boards across the State to implement a plan for character education to educate our children's hearts as well as their minds.

It is working well in many counties in North Carolina - we can expand character education to every county in North Carolina.

"And our schools don't need students showing up in clothes laced with profanity. I'm asking every school board to enforce a reasonable dress code policy. I am not talking about uniforms, we'll leave the dress codes up to the schools. Students come to school to learn - not to party - and the dress code ought to reflect that.

"Lastly, we're going to put more discipline in our classrooms so that those students who want to learn can learn. No parent should ever have to take their child out of a state supported public school because they fear for their child's safety and no teacher should ever be asked to tolerate disrespect.

"So tonight, I am directing funds from the Governor's Crime Commission to establish more alternative schools across North Carolina. Right now, there are over 7,000 students suspended or expelled each year, who have no education option or solution. None at all.

"And when we expel a student, they don't go away, they just leave school and take their troubles to the streets. We have to be smarter about the way we deal with troubled kids or they'll just become problem adults and we'll deal with them in jail. And that's expensive.

"The truth is...the truth is we have a lot to do to improve our schools.

"Our schools can't be below average by any measure. We don't have below average children. They don't have below average ambitions. And, we can't tolerate below average schools. We owe our students results. We owe North Carolina's future results - NOT EXCUSES.

"And there's No Excuse for families being denied basic patients' rights - especially when they are paying for those rights.

"Tomorrow, we're introducing a Patients' Bill of Rights, bipartisan, that many of you have been working for. It'll protect patients' rights and it'll make our principle very clear - if an insurer denies access to its consumers and that denial results in injury, then they must face the consequences just as a doctor, nurse or hospital does.

"Those insurers who are trying to limit your medical treatment have to accept the accountability as well as the profit.

"And we'll have a prescription drug plan for our seniors. The rising cost of medication has caused too many, far too many, to choose between pain medication and antibiotics. The result is they end up sick, in the hospital - more cost for us, more suffering for them.

"We have the funds available from a portion of the tobacco settlement that you set aside to help our seniors - the greatest generation - those who fought World War II and the Korean War. They were there for us when we needed them and we're going to be there for them now that they need us.

"No Excuses.

"Now whether children, seniors or working families - we won't leave anyone behind in One North Carolina.

"Every citizen of every age and every location must be included in our one State - the young life - the old - the rural and the urban - large cities as well as small towns.

"And as the new economy demands more technology, so must we teach it.

"As the new economy requires lifelong learning, we'll provide it.

"For technology will not replace those enterprises and industries that have built this State and made it great - it will enhance them.

"We must be willing to make smart and targeted investments to attract new and better jobs. But we must close revenue loopholes that defy good business practice and fly in the face of fundamental fairness. I've asked former Treasurer Harlan Boyles to chair a commission to review tax incentives that cannot be justified in our current economic conditions.

"The rule is pretty simple and I had to argue it before the Supreme Court and the question is, 'Is it a public purpose?' If it works for business and working families, it's a public purpose. If it just works for business, then it is not.

"And as we expand our economy - the economy to all of North Carolina - to every citizen in every region - we have to resist that temptation that's always there to trade short-term economic gain for long-term environmental harm.

"We in North Carolina see the environment differently. It is not some abstract issue to us. We see the water as something that fisherman fish, the land as something that our farmers till and the air as something that we all must breathe. Our environmental laws must be strengthened and they must be enforced.

"Now I have proposed Truth in Penalties so that environmental fines can no longer be manipulated. These laws will be clear. They'll be understandable and they will be consistent.

"And I urge you to continue the moratorium on open-air hog lagoons as we all work together to develop an affordable technology to replace them.

"As I close tonight, I ask you to set your sights high. High above the horizon. Remember your heritage and those 8 million people. Those people that you 170 are so fortunate and honored to represent.

"North Carolina was founded more than 400 years ago by pioneers who dared to search for a dream. Our State was built by the sweat and the grit and resolve of generations who dared to be the best. They made No Excuses.

"That same spirit, that determination has stayed with us all these years.

"In the spirit that they brought to this land, let us go forward.

"It's the spirit that led us to fly the first plane here in North Carolina.

"It's the spirit that helped us build the first, and the finest, state university.

"It's the spirit that drives you and me to work for the people.

"And it's the same spirit that will help us create One North Carolina.

"Let our accomplishments over the next four years, let them be remembered not as products of my administration, but as the legacy of this Legislature, the people's Legislature, one that was willing to be bold and aggressive. The 01 Legislature.

"And yes, we're going to have to make some tough calls and some controversial decisions - and take some political risks. I don't have to be in the Governor's office, and you don't have to be in the General Assembly. But next year, five-year olds have to be in kindergarten, and six-year olds

have to be in the first grade. And these young minds are perishable commodities we can't just set on a shelf for two years. We have to act this year.

"So I say to you tonight, if we're going to be representatives of the people, then let's represent the people.

"If we're going to lead the State, then let's lead the State.

"We are not going to get there by being timid or cautious. We'll get there by being bold and being aggressive and working together.

"Friends, I ran for governor because I wanted to make sure that the working men and women of this State - those people who get up early, fight the traffic, pay the bills, wash the dishes, educate the kids - that they have a champion in Raleigh. They do in me, and I believe they do in you.

"So I pledge tonight that I will fight as hard as I can for the people of this State, and I will fight as hard as I can for all of North Carolina. I ask you to join me. Thank you, and God Bless North Carolina."

Upon completion of his address, the Governor, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate stands adjourned.

The House stands adjourned at 7:35 p.m.

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## **SIXTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, February 20, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

February 20, 2001

"Almighty God, the weighty task of governance falls squarely on our shoulders. We admit the business ahead of us is formidable. Balancing the potential of new and enhanced programs with limited resources is a delicate task. Yet, You are not a God of deficiency, but of abundance. As in the past, we trust You to guide us not into the dead ends of impossibilities, but along the open pathways of possibilities. Come to us now - open our minds to creative visions; open our hearts to honest appraisal of suggestions; open our lives to the leading of Your Spirit. For we know that only by Your guidance will we forge a future which is safe, sound, and secure. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Buchanan, Earle, Hiatt, Nesbitt, and Warren for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 139**, A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, with a favorable report as to committee substitute joint resolution, unfavorable as to original resolution.

Pursuant to Rule 36(b), the House committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representatives Culpepper and Hurley:

**H.B. 167**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE

OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Financial Institutions.

By Representative Culpepper:

**H.B. 168**, A BILL TO BE ENTITLED AN ACT TO PERMIT A CORPORATION TO TRANSFER ASSETS TO A WHOLLY OWNED UNINCORPORATED ENTITY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Adams, Blue, Coates, Fox, Hackney, Insko, Jarrell, Jeffus, Setzer, Walker, Weiss, and Womble:

**H.B. 169**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, is referred to the Committee on Education.

By Representatives Walend and Carpenter:

**H.B. 170**, A BILL TO BE ENTITLED AN ACT TO ALLOW A FUEL TAX REFUND FOR OFF-ROAD FUEL USE BY MULCH-BLOWING EQUIPMENT, is referred to the Committee on Finance.

By Representative Smith:

**H.B. 171**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

**H.B. 172**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

**H.B. 173**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

**H.B. 174**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 175**, A BILL TO BE ENTITLED AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Local Government I.

By Representative McAllister:

**H.B. 176**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADULT WORK ORDER DAY PROGRAM, is referred to the Committee on Appropriations.

By Representatives McAllister, Adams, Fitch, Hunter, Hurley, Michaux, and Morris:

**H.B. 177**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE MILITARY WHO ATTENDS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE SHALL BE CHARGED ONLY THE IN-STATE TUITION RATE, is referred to the Committee on Education.

By Representatives Decker, Barnhart, Bowie, Cansler, Capps, Culp, Daughtry, Davis, Dockham, Eddins, Esposito, Gulley, Harrington, Hilton, Holmes, Howard, Johnson, Kiser, Morris, Oldham, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Starnes, Walend, Walker, Weatherly, and G. Wilson:

**H.B. 178**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO COMMITS THE OFFENSE OF HABITUAL IMPAIRED DRIVING AND WHO KILLS ANOTHER PERSON AS A RESULT OF THAT OFFENSE MAY BE GUILTY OF FELONY MURDER, is referred to the Committee on Judiciary II.

By Representatives Oldham, Barefoot, Bonner, Coates, Decker, Esposito, Gray, Hurley, Lucas, Sexton, Tolson, Womble, and Yongue:

**H.B. 179**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO CONSIDER



PROXIMITY TO SCHOOLS AND CHURCHES AS A FACTOR IN THE DECISION TO APPROVE APPLICATIONS FOR ABC PERMITS BY ESTABLISHMENTS LOCATED WITHIN 250 FEET OF A CHURCH OR SCHOOL, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Cole, Alexander, Barefoot, Church, Davis, Dedmon, Fox, Goodwin, Hall, Hurley, McLawhorn, Morris, Oldham, Redwine, Tolson, and Womble:

**H.B. 180**, A BILL TO BE ENTITLED AN ACT TO MAKE MORE MUNICIPALITIES ELIGIBLE FOR DEVELOPMENT ZONES, is referred to the Committee on Economic Growth and Community Development.

By Representatives Adams, Capps, Davis, Fitch, Hall, McAllister, Michaux, and Womble:

**H.B. 181**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE CEASE AND DESIST PROVISIONS IN THE HMO LAWS, is referred to the Committee on Insurance.

By Representatives Culpepper and Hurley:

**H.B. 182**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ANTI-LAPSE STATUTE TO PROVIDE THAT THE INTEREST OF A DECEASED CLASS MEMBER WHO LEAVES NO ISSUE DEVOLVES UPON THE REMAINING CLASS MEMBERS AND THE ISSUE OF OTHER DECEASED CLASS MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 139** (Committee Substitute), A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, is placed on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on

Rules, Calendar, and Operations of the House and re-referred to the Committee on State Government:

**H.B. 2**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS, TO AUTHORIZE THE SECRETARY OF ADMINISTRATION TO ADOPT TEMPORARY RULES TO IMPLEMENT THE RECIPROCAL PREFERENCE PROGRAM, AND TO APPROPRIATE FUNDS FOR THE RECIPROCAL PREFERENCE PROGRAM;

**H.B. 3**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A RECIPROCITY LAW WILL DISCOURAGE PREFERENCE LAWS IN OTHER STATES;

**H.B. 85**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC; and

**H.B. 94**, A BILL TO BE ENTITLED AN ACT TO SET UP A CUSTOMER SERVICE QUALITY ASSURANCE PROGRAM WITHIN THE STATE AUDITOR'S OFFICE, SO AS TO ENSURE THAT PERSONS RECEIVE QUALITY SERVICES FROM STATE AGENCIES.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Pensions and Retirement:

**H.B. 4**, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II:

**H.B. 6**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON;

**H.B. 18**, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE;

**H.B. 105**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, and, if favorable, to the Committee on Finance; and

**H.B. 108**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE, GRAHAM, HAYWOOD, JACKSON, MADISON, AND SWAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Insurance:

**H.B. 13**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM ENCOURAGING INSURANCE CLAIMANTS TO OBTAIN MOTOR VEHICLE REPAIR SERVICES FROM PARTICULAR SOURCES.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Ways and Means:

**H.B. 14**, A BILL TO BE ENTITLED AN ACT TO USE ANNUAL POPULATION ESTIMATES RATHER THAN THE DECENNIAL CENSUS WHEN DETERMINING ELIGIBILITY FOR INCORPORATION OF NEW MUNICIPALITIES WHICH ARE IN PROXIMITY TO EXISTING MUNICIPALITIES;

**H.B. 20**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE COMMISSION TO STUDY COMMISSION CONTRACTS FOR ISSUANCE OF MOTOR VEHICLE REGISTRATION PLATES AND CERTIFICATES TO INCREASE THE

RATE PAID PER TRANSACTION TO COMMISSION CONTRACT AGENTS FOR THE ISSUANCE OF PLATES AND CERTIFICATES; and

**H.B. 75**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I:

**H.B. 19**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF PINE KNOLL SHORES AND INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS;

**H.B. 47**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE;

**H.B. 71**, A BILL TO BE ENTITLED AN ACT ALLOWING CLAY COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES; and

**H.B. 86**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary III:

**H.B. 28**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES.;

**H.B. 41**, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION;

**H.B. 78**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS;

**H.B. 93**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON CAUSES OR FALSELY REPORTS SYMPTOMS TO OBTAIN OTHERWISE UNNEEDED MEDICAL CARE;

**H.B. 107**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY PROGRAM, and, if favorable, to the Committee on Finance.

On motion of Representative Cunningham, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Highway Safety and Law Enforcement:

**H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS; and

**H.B. 64**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Economic Growth and Community Development:

**H.B. 66**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO CORROBORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation:

**H.B. 76**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance:

**H.B. 77**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Cultural Resources:

**H.B. 92**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS, and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Health:

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bill is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education:

**H.B. 151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LEGISLATIVE TUITION GRANT MAY BE PAID TO A STUDENT WHO ATTENDS A BIBLE COLLEGE THAT MEETS THE SAME CRITERIA AS OTHER PRIVATE SCHOOLS.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 2:23 p.m. to reconvene February 21 at 2:00 p.m.

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## SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, February 21, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, You have created us as social beings and placed us in community with one another. At our best we recognize our interconnectedness and are aware of the assistance of others. Therefore we pause at this time, and offer a prayer of thanksgiving:

"For leaders who inspire us,

"for colleagues who challenge and cheer us,

"for legislative assistants who organize our offices and keep us on track,

"for the Sergeant-at-Arms who preserve order in the Chamber,

"for those who draft, type, and ready the bills for their debate,

"for the Principal Clerk's guidance

"and for her staff's constant and consistent assistance,

"we are most grateful.

"As an organism with many functions, unify our work together that this Body might be sound and its labors be effective. May our accomplishments not only be well done, may they also be done well. Amen."

February 21, 2001

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Buchanan, Earle, Fitch, and Hiatt for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 60**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GEORGE HENRY WHITE, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, ON THE ONE HUNDREDTH ANNIVERSARY OF HIS HISTORIC FAREWELL SPEECH IN THE UNITED STATES CONGRESS, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representative Redwine:

**H.B. 183**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, is referred to the Committee on Judiciary I.

By Representatives Edwards, Allen, Cox, Goodwin, Insko, Luebke and Weiss:

**H.B. 184**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE HIGHWAY USE TAX LOOPHOLE FOR LUXURY AUTOMOBILES, is referred to the Committee on Finance.



By Representative Saunders:

**H.B. 185**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

**H.B. 186**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

**H.B. 187**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morris, Barbee, Barnhart, Blust, Bowie, Capps, Culp, Davis, Dockham, Harrington, Johnson, McMahan, Pope, Preston, Sherrill, Teague, Walend, Walker, Weatherly and G. Wilson:

**H.B. 188**, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS FOR THE PURPOSE OF MAKING VOTING SIMPLER AND FAIRER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright, Smith, Preston, and Underhill:

**H.B. 189**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998 AND TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND BY ONE YEAR TO OCTOBER 1, 2002, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources.

By Representatives Hurley, Barefoot, Culp, Dedmon, Esposito, Fox, Lucas, McAllister, McLawhorn, Morris, Preston, Redwine, Rogers, Saunders, Smith, Teague, Tolson, Wainwright, Walker, Warner, and G. Wilson:

**H.B. 190**, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING OF TEACHERS

WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, is referred to the Committee on Education.

By Representatives Hurley and Goodwin (Primary Sponsors); Alexander, Barbee, Barefoot, Barnhart, Blue, Brubaker, Carpenter, Coates, J. Crawford, Culp, Davis, Dedmon, Edwards, Esposito, Fox, Gray, Harrington, Insko, Lucas, Luebke, McAllister, McComas, Miner, Mitchell, Morris, Preston, Redwine, Rogers, Saunders, Shubert, Smith, Teague, Tolson, Underhill, Wainwright, Walker, Warner, West, C. Wilson, and G. Wilson:

**H.B. 191**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL INCOME TAX DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS, is referred to the Committee on Finance.

By Representatives Hurley, Alexander, Barefoot, J. Crawford, Culp, Dedmon, Esposito, Goodwin, Lucas, McAllister, McLawhorn, Morris, Preston, Redwine, Rogers, Saunders, Shubert, Smith, Teague, Tolson, Wainwright, Warner, and G. Wilson:

**H.B. 192**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED AND TO PROVIDE FUNDS FOR THE EDUCATION OF THESE CHILDREN, is referred to the Committee on Appropriations.

By Representatives Jarrell, Alexander, Allen, Church, Cole, J. Crawford, Gray, Hill, Hurley, Jeffus, Luebke, Pope, Redwine, Tucker, and Warner:

**H.B. 193**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY CARE AND/OR COMMUNITY BENEFITS, is referred to the Committee on Finance.

By Representatives Baddour, Nye, Hackney, and Justus (Primary Sponsors); Adams, Alexander, Allen, Arnold, Barefoot, Bell, Blue, Bowie, Boyd-McIntyre, Cansler, Church, Coates, Cole, Cox, Culpepper, Cunningham, Dedmon, Easterling, Edwards, Fitch, Fox, Goodwin, Haire, Hall, Hensley, Hill, Holliman, Hunter, Insko, Jarrell, Jeffus, Luebke, McAllister, McLawhorn, Michaux, Miller, Redwine, Rogers, Russell,

Smith, Thompson, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, G. Wilson, Womble, Wright, and Yongue:

**H.B. 194**, A BILL TO BE ENTITLED AN ACT TO IMPROVE ACCESS TO HEALTH CARE ADVICE, INFORMATION, AND SERVICES TO COVERED PERSONS UNDER HEALTH BENEFIT PLANS; ESTABLISH STANDARDS FOR HEALTH PLAN DISCLOSURES TO CONSUMERS; ESTABLISH A MANAGED CARE OMBUDSMAN PROGRAM; REQUIRE COVERAGE FOR CLINICAL TRIALS AND NEWBORN HEARING SCREENING; PROVIDE STANDARDS FOR INDEPENDENT REVIEW OF NONCERTIFICATIONS BY AN INSURER OR MANAGED CARE PLAN, AND TO HOLD MANAGED CARE ENTITIES LIABLE FOR HARM CAUSED TO INSUREDS OR ENROLLEES BY THE FAILURE TO EXERCISE ORDINARY CARE IN MAKING TREATMENT DECISIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barefoot, Alexander, Baddour, Bell, Bonner, Cansler, Church, Coates, Cole, Cox, J. Crawford, Culp, Cunningham, Davis, Dedmon, Edwards, Fox, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Jarrell, Jeffus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, Mitchell, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, West, G. Wilson, Womble, Wright, and Yongue:

**H.B. 195**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A YEARLONG COURSE OF INSTRUCTION ON NORTH CAROLINA HISTORY AND GEOGRAPHY TO ALL FOURTH- AND EIGHTH-GRADE STUDENTS, is referred to the Committee on Education.

By Representative Morgan (By Request):

**H.B. 196**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE RESTORATION OF THE FAIR BARN IN THE VILLAGE OF PINEHURST FROM THE PUBLIC BIDDING LAWS, is referred to the Committee on Judiciary I.

By Representative Morgan (By Request):

**H.B. 197**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NET PROCEEDS FROM THE SALE OF TIMBER AT SAMARKAND

YOUTH ACADEMY TO BE USED FOR CAPITAL IMPROVEMENTS AND REPAIRS AND RENOVATIONS AT THE ACADEMY, is referred to the Committee on Appropriations.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
February 20, 2001

Mr. Speaker:

A message is sent to the House of Representatives with the information that pursuant to Senate Rule 40(b), the Committee Substitute for **H.J.R. 139**, A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, is being returned to the House.

Sincerely,  
S/ Janet B. Pruitt  
*Principal Clerk*

**SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.B. 29**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE, is read the first time and referred to the Committee on Transportation.

On motion of Representative Culpepper, seconded by Representative Creech, the House adjourns at 2:15 p.m. to reconvene February 22 at 10:00 a.m.

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**EIGHTEENTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, February 22, 2001

February 22, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Eternal God, You formed the majestic mountains and the grandeur of the sunrise. Yet, You are also the one who formed the intricacies of the atom and the unique constellation of our personality. We thank You for the spectacular signs of Your presence which grasp our souls and take away our breath. We are also grateful for the simpler, yet equally impressive signs of Your presence: the touch of a child, a friend's act of kindness, the love offered by family, supportive words shared by a colleague. In looking for the dramatic, we often miss these quiet whispers of Your grace that fill our lives and give us strength. Open our eyes to see and ears to hear these signs of kindness and give us hearts that are grateful for Your provision. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allred, Brubaker, Culp, Earle, Hiatt, Starnes, Wainwright, Walend, and Warren for today.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Smith:

**H.B. 198**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Local Government I.

By Representatives Eddins and Davis:

**H.B. 199**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR JURY CONSULTANTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bonner, Morris, and Sutton:

**H.B. 200**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF A DEVELOPMENT ZONE, is referred to the Committee on Economic Growth and Community Development.

By Representatives Holmes and Walker:

**H.B. 201**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes and Walker:

**H.B. 202**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes and Walker:

**H.B. 203**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt, Adams, Barefoot, Insko, Luebke, Walker, and Womble:

**H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAITING PERIOD FOR COVERAGE UNDER THE NORTH CAROLINA HEALTH INSURANCE PROGRAM FOR CHILDREN (NORTH CAROLINA HEALTH CHOICE), is referred to the Committee on Health.

By Representative Smith:

**H.B. 205**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE, is referred to the Committee on Public Utilities.

By Representatives Smith, Alexander, Barefoot, and Jeffus:

**H.B. 206**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE NORTH CAROLINA AQUARIUM AT PINE KNOLL SHORES, is referred to the Committee on Appropriations.

By Representatives Smith, Alexander, Barefoot, and Jeffus:

**H.B. 207**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECOVERY AND CONSERVATION OF ARTIFACTS FROM THE QUEEN ANNE'S REVENGE, is referred to the Committee on Appropriations.

By Representative Setzer:

**H.B. 208**, A BILL TO BE ENTITLED AN ACT AUTHORIZING MOORESVILLE TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE CORPORATE LIMITS AND THE EXTRA-TERRITORIAL JURISDICTION, is referred to the Committee on Local Government I.

By Representative Daughtry:

**H.B. 209**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtry:

**H.B. 210**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Daughtry:

**H.B. 211**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JOHNSTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

**H.B. 212**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES IN NEW HANOVER COUNTY TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED, is referred to the Committee on Local Government II.

By Representatives Redwine, Adams, Alexander, Barefoot, Boyd-McIntyre, Cansler, Cox, Goodwin, Hill, Insko, Jeffus, Luebke, McLawhorn, Morris, Nesbitt, Preston, Sherrill, Smith, Weiss, and Womble:

**H.B. 213**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Warren, Adams, Alexander, Barefoot, Earle, Gillespie, Insko, Jeffus, and Luebke:

**H.B. 214**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADULT DAY CARE FUND TO PROVIDE FOR A RATE INCREASE FOR ADULT DAY SERVICES, is referred to the Committee on Appropriations.

By Representatives Warren, Alexander, Barbee, Earle, Insko, Jeffus, Luebke, and Morris:

**H.B. 215**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE COMMUNITY ALTERNATIVES PROGRAM (CAP) INCOME ELIGIBILITY LIMITS AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Appropriations.

By Representatives Warren, Alexander, Earle, Insko, Jeffus, and Luebke:

**H.B. 216**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE MEDICAID COVERAGE TO ADULT DAY HEALTH SERVICES CLIENTS, is referred to the Committee on Health.

By Representatives Miller, Adams, Bell, Cunningham, Gibson, Hunter, Luebke, Michaux, Nesbitt, Oldham, Wainwright, and Womble:

**H.B. 217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE, is referred to the Committee on Education.



By Representatives Hill, Alexander, Barbee, Church, Coates, Cox, Creech, Davis, Edwards, Gray, Jarrell, McLawhorn, Owens, Redwine, Teague, Tolson, Tucker, Underhill, Warren, G. Wilson, and Wright:

**H.B. 218**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL CROPS AND PLANTS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary I.

By Representatives Hill, Barbee, Church, Coates, Cox, Davis, Insko, Jarrell, McLawhorn, Owens, Redwine, Teague, Tolson, Underhill, Warren, G. Wilson, and Wright:

**H.B. 219**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENVIRONMENTAL ASSISTANCE FOR FARMERS, is referred to the Committee on Appropriations.

By Representative Eddins:

**H.B. 220**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR PERSONS QUALIFIED IN THE UNITED STATES NAVY SUBMARINE SERVICE, is referred to the Committee on Finance.

By Representative Underhill:

**H.B. 221**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Underhill:

**H.B. 222**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Preston:

**H.B. 223**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE NORTH CAROLINA AQUARIUM AT PINE KNOLL SHORES, is referred to the Committee on Appropriations.

By Representative Preston:

**H.B. 224**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECOVERY AND CONSERVATION OF ARTIFACTS FROM THE QUEEN ANNE'S REVENGE, is referred to the Committee on Appropriations.

By Representative Preston:

**H.B. 225**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Local Government I.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
February 21, 2001

Mr. Speaker:

This message is sent to the House of Representatives to respectfully request that **H.J.R. 139**, A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, be sent to the Senate for consideration.

Sincerely,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker orders the resolution returned to the Senate.

**RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 191**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL INCOME TAX DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS, is withdrawn from the Committee on Finance and re-referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

February 22, 2001

On motion of Representative Culpepper, seconded by Representative McLawhorn, the House adjourns at 10:18 a.m. to reconvene Monday, February 26, 2001, at 7:00 p.m.

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## **NINETEENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, February 26, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Merciful God, even now as committees convene, as ideas are introduced, and bills brought forward, we humbly ask Your Spirit for guidance. Grant us wisdom as we balance the call for responsibly representing our constituency with our own moral judgments. Grant us openness that we might listen attentively to suggestions that differ from our own perspectives. Grant us courage to stand up for our principles, no matter what the cost. Grant us compassion that we might look at each other as brothers and sisters, worthy of respect and deserving of mercy. Generously equip for the tasks ahead, that we might bring honor to ourselves, this legislative body, and most importantly, to You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Bell, Brubaker, Cole, Gray, Underhill, and Wright for today.

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

The following are introduced, read the first time and referred to committee:

By Representatives Culpepper and Alexander:

**H.B. 226**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ACQUIRE REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, is referred to the Committee on Health.

By Representatives Teague, Alexander, Allred, Arnold, Barefoot, Barnhart, Blust, Bonner, Clary, Coates, Cole, Cox, Dockham, Edwards, Esposito, Gillespie, Goodwin, Grady, Gulley, Haire, Hall, Hill, Holmes, Howard, Insko, Jeffus, Justus, Lucas, McLawhorn, Mitchell, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Setzer, Smith, Starnes, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Weatherly, West, C. Wilson, G. Wilson, and Womble:

**H.B. 227**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A WORLD WAR II SPECIAL REGISTRATION PLATE, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

By Representatives Bonner, Alexander, Goodwin, McLawhorn, and Warner:

**H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Education.

By Representatives Redwine, Dedmon, Hill, Hurley, Nye, Preston, and Smith:

**H.B. 229**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY ISSUES RELATED TO INSURANCE AVAILABILITY IN BEACH AND COASTAL AREAS; TO REQUEST THE LEGISLATIVE RESEARCH COMMISSION, IN ESTABLISHING THE STUDY COMMITTEE, TO RECONSTITUTE THE SAME MEMBERSHIP AS THAT APPOINTED FOR THE STUDY COMMITTEE IN THE 2000 INTERIM; AND TO APPROPRIATE FUNDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gillespie, Davis, Hill, Morris, Rayfield, Setzer, Sexton, Starnes, Thompson, Walker, and West:

**H.B. 230**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY SUPPLEMENTAL FUNDS FOR PUBLIC SCHOOLS IN LOW-WEALTH COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allen, Jarrell, Luebke, Tucker, and Wainwright:

**H.B. 231**, A BILL TO BE ENTITLED AN ACT TO TREAT SALES OF COMPUTER SOFTWARE EQUALLY FOR SALES AND USE TAX PURPOSES REGARDLESS OF THE METHOD OF DELIVERY, is referred to the Committee on Science and Technology.

By Representatives Allen and Wainwright:

**H.B. 232**, A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE FOR CALENDAR YEAR 2001, is referred to the Committee on Insurance.

By Representative Allen:

**H.B. 233**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allen:

**H.B. 234**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 22ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allen, J. Crawford, Hall, and Wainwright:

**H.B. 235**, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN, is referred to the Committee on Public Health.

By Representatives Allen, J. Crawford, and Hall:

**H.B. 236**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WHOLLY WITHIN THE SANITARY DISTRICT, is referred to the Committee on Public Health and, if favorable, to the Committee on Finance.

By Representatives Walker and Holmes:

**H.B. 237**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walker and Holmes:

**H.B. 238**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 41ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McLawhorn, Edwards, Luebke, Rogers, Tolson, and Warren:

**H.B. 239**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ACTIVITIES OF THE NORTH CAROLINA GEOGRAPHIC ALLIANCE, is referred to the Committee on Appropriations.

By Representatives Weiss, Alexander, Allen, Baddour, Blue, Cox, Easterling, Fox, Goodwin, Haire, Hensley, Insko, Jeffus, Luebke, Michaux, Miner, Morris, Owens, Rogers, Smith, Tolson, Wainwright, and Wright:

**H.B. 240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION CENTER AT THE CONTEMPORARY ART MUSEUM IN THE CITY OF RALEIGH, is referred to the Committee on Appropriations.

By Representatives Warner, Barefoot, Bonner, Gulley, Haire, Hunter, Hurley, Jeffus, Lucas, Rogers, Smith, Sutton, Tolson, Wainwright, and Yongue:

**H.B. 241**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A FAMILY DRUG TREATMENT COURT PROGRAM IN NORTH CAROLINA AND TO FUND THE PROGRAM,

AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH, is referred to the Committee on Children, Youth and Families and, if favorable, to the Committee on Judiciary II.

By Representatives Warner, Alexander, Barefoot, Bonner, Dedmon, Gulley, Haire, Hunter, Hurley, Jeffus, Lucas, Smith, Sutton, Tolson, Wainwright, and Yongue:

**H.B. 242**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LAW ENFORCEMENT PROTECTION TO SOCIAL SERVICES WORKERS WHEN INVESTIGATING REPORTS OF ABUSE, NEGLECT, OR DEPENDENCY, AND WHEN TAKING TEMPORARY PHYSICAL CUSTODY OF A JUVENILE, is referred to the Committee on Highway Safety and Law Enforcement and, if favorable, to the Committee on Judiciary I.

By Representatives Rogers, Bell, Bonner, Boyd-McIntyre, Carpenter, Cox, Culpepper, Earle, Hurley, Insko, Jarrell, Lucas, McLawhorn, Preston, Russell, Shubert, Smith, Teague, Wainwright, Warner, Warwick, Weiss, and Yongue:

**H.B. 243**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "TEACHER" FOR PURPOSES OF MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Education and, if favorable, to the Committee on Pensions and Retirement.

By Representatives Earle, Alexander, Cansler, Insko, Luebke, Wainwright, Warren, and Weiss:

**H.B. 244**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LABOR ENHANCEMENT PAYMENTS FOR WORKERS IN LONG-TERM CARE FACILITIES AND AGENCIES, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Insko, Luebke, Wainwright, Warren, and Weiss:

**H.B. 245**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AN INSTRUMENT FOR ASSESSING THE QUALITY OF CARE PROVIDED BY ADULT CARE HOMES, is referred to the Committee on Health.

By Representatives Earle, Alexander, Insko, Luebke, and Warren:

**H.B. 246**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON STATE GUARDIANSHIP LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morris, Alexander, Coates, Esposito, Goodwin, Hurley, Lucas, Luebke, McAllister, Nye, Sexton, Wainwright, Warner, and Yongue:

**H.J.R. 247**, A JOINT RESOLUTION HONORING THE MILITARY PERSONNEL WHO SERVED AND HONORING THOSE WHO GAVE THEIR LIVES DURING THE PERSIAN GULF WAR ON THE TENTH ANNIVERSARY OF THE WAR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Boyd-McIntyre, Alexander, Luebke, McLawhorn, Preston, and Wainwright:

**H.B. 248**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE STUDY COMMISSION ON CHILDREN WITH SPECIAL NEEDS, is referred to the Committee on Education and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barnhart:

**H.B. 249**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MIDLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barnhart:

**H.B. 250**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 81ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Barnhart:

**H.B. 251**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 81ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Barnhart:

**H.B. 252**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 81ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brubaker and Preston:

**H.B. 253**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MANUFACTURED HOMES NEED NOT HAVE MULTIPLE SECTIONS TO QUALIFY AS REAL PROPERTY FOR PROPERTY TAX PURPOSES, is referred to the Committee on Finance.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

February 26, 2001

The Speaker makes the following committee assignments:

Pursuant to Rule 26(h), Representative Cunningham is designated by the Speaker as an ex officio member of all committees except Congressional Redistricting and Legislative Redistricting.

**ALCOHOLIC BEVERAGE CONTROL**: Add Representatives McMahan and Morris; remove Representatives Decker and Starnes.

**APPROPRIATIONS**: Representative J. Crawford, Vice Chair.

**APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT**: Remove Representative Walend; add Representative G. Wilson.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**: Add Representative Wright.

**APPROPRIATIONS SUBCOMMITTEE ON INFORMATION TECHNOLOGY**: Add Representative Walend; remove Representative G. Wilson.

**APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC RESOURCES**: Representative Warren, Vice Chair.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION**: Representative Bowie, Vice Chair.

February 26, 2001

**AGRICULTURE**: Add Representative Owens; remove Representative Allred.

**CHILDREN, YOUTH AND FAMILIES**: Add Representatives Alexander and Barnhart.

**ELECTION LAW AND CAMPAIGN FINANCE REFORM**: Add Representatives Redwine and Thompson.

**ENVIRONMENT AND NATURAL RESOURCES**: Add Representatives Warner and Weatherly; remove Representative Gillespie.

**FINANCIAL INSTITUTIONS**: Add Representatives Allred, Harrington, McMahan, Michaux, and Wainwright; remove Representative Miner.

**INSURANCE**: Add Representatives Justus and Smith.

**JUDICIARY III**: Add Representatives Fox and Capps.

**LOCAL GOVERNMENT II**: Representative Hurley, Vice Chair; Add Representatives Fox and West.

**MENTAL HEALTH**: Add Representatives Earle and Warwick; remove Representative Underhill.

**MILITARY, VETERAN AND INDIAN AFFAIRS**: Add Representative Sutton.

**PUBLIC HEALTH**: Representative McAllister, Vice Chair.

**RULES, CALENDAR, AND OPERATIONS OF THE HOUSE**: Add Representative Hill.

**SCIENCE AND TECHNOLOGY**: Representative Tolson, Chair.

**STATE GOVERNMENT**: Representative Luebke, Vice Chair.

**STATE PERSONNEL**: Add Representative Underhill.

**TRANSPORTATION**: Representative Allred, Chair; add Representative Culp; remove Representatives Hilton and Shubert.

**TRAVEL AND TOURISM**: Add Representatives Owens and Shubert.

**INTRODUCTION OF PAGES**

Pages for the week of February 26 are introduced to the membership. They are: Henry Alexander Alston of Wake; John Chadwick Barefoot of Davidson; Heather Bowen of Martin; Avery Cress of Wake; Tracie Davis of New Hanover; Katheryn Garrison of Mitchell; Chadney Giles of Wake; Paige Hatley of Wake; Jason Kennedy of Wake; Brandon Mosley of Wake; Dylan Sandler of Buncombe; Cameron Smith of Wake; Marita Terrell of Caswell; Jessica Urzen of Buncombe; Tryvelyn Williams of Halifax; and Joshua Willis of Mitchell.

On motion of Representative Culpepper, seconded by Representative Holmes, the House adjourns at 7:19 p.m. to reconvene February 27 at 2:00 p.m.

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**TWENTIETH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, February 27, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of Grace, Your love for us knows no end and Your care for us cannot be measured. Constantly You call to us and faithfully You listen to us. Look down upon us now, and in Your mercy hear our joys and our concerns, our cries and our petitions, our wants and our needs. We offer them to You, for there is no other who has the grace sufficient to understand and respond. According to Your rich and manifold mercy, offer us what we need. Heal our hearts, forgive our sins, remove our guilt, and strengthen our bodies. Bring us into fullness of Your love, for it is there and there only that we will find authentic peace and true wholeness. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bell, Brubaker, Fitch, Gray, Hiatt, and Wright for today.

February 27, 2001

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 168**, A BILL TO BE ENTITLED AN ACT TO PERMIT A CORPORATION TO TRANSFER ASSETS TO A WHOLLY OWNED UNINCORPORATED ENTITY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 182**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ANTI-LAPSE STATUTE TO PROVIDE THAT THE INTEREST OF A DECEASED CLASS MEMBER WHO LEAVES NO ISSUE DEVOLVES UPON THE REMAINING CLASS MEMBERS AND THE ISSUE OF OTHER DECEASED CLASS MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 47**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

**H.B. 71**, A BILL TO BE ENTITLED AN ACT ALLOWING CLAY COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

**H.B. 86**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

**H.B. 175**, A BILL TO BE ENTITLED AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 114**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE U.S. HIGHWAY 70 IN NORTH CAROLINA AS THE "BLUE STAR MEMORIAL AND AMERICAN EX-PRISONERS OF WAR HIGHWAY", with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

**S.B. 29**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of February 28.

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

The following are introduced, read the first time and referred to committee:

By Representatives Alexander, Barefoot, Bonner, Insko, Luebke, and Nesbitt:

**H.B. 254**, A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 13 AND ARTICLE 14 OF CHAPTER 163 OF THE GENERAL STATUTES, AS RECOMMENDED BY THE ELECTION LAWS REVISION COMMISSION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Barefoot, Bonner, Insko, Luebke, and Nesbitt:

**H.B. 255**, A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 15 AND ARTICLE 16 OF CHAPTER 163, AS RECOMMENDED BY THE ELECTION LAWS REVISION COMMISSION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Barefoot, Bonner, Goodwin, Insko, Luebke, Nesbitt, and Wainwright:

**H.B. 256**, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES TO THE ELECTION LAWS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Barefoot, Bonner, Insko, Luebke, and Nesbitt:

**H.B. 257**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BALLOT ACCESS LAWS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Barefoot, Bonner, Goodwin, Insko, Luebke, and Nesbitt:

**H.B. 258**, A BILL TO BE ENTITLED AN ACT TO CONTROL THE FLOW OF NATIONAL PARTY POLITICAL CONTRIBUTIONS INTO NORTH CAROLINA, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Barefoot, Bonner, Insko, Luebke, and Nesbitt:

**H.B. 259**, A BILL TO BE ENTITLED AN ACT TO ABOLISH MUNICIPAL BOARDS OF ELECTIONS, REQUIRING THAT ALL ELECTIONS BE CONDUCTED BY COUNTY BOARDS OF ELECTIONS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Bonner, Goodwin, Insko, Luebke, Nesbitt, and Wainwright:

**H.B. 260**, A BILL TO BE ENTITLED AN ACT TO CREATE THE ELECTION LAWS REVISION COMMISSION, is referred to the Committee on Election Law and Campaign Finance Reform and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Smith, Goodwin, and Wainwright:

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Smith, Goodwin, and Wainwright:

**H.B. 262**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representative Bowie:

**H.B. 263**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

**H.B. 264**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

**H.B. 265**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bowie:

**H.B. 266**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Buchanan:

**H.B. 267**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 46TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Buchanan:

**H.B. 268**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 46TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Coates:

**H.B. 269**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Johnson, Barbee, Barnhart, Coates, Cox, Goodwin, Hensley, Hilton, Hurley, Luebke, McCombs, and Sexton:

**H.J.R. 270**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DALE EARNHARDT, LEGENDARY STOCK CAR RACER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Johnson:

**H.B. 271**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Johnson:

**H.B. 272**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CABARRUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis and Cox:

**H.J.R. 273**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF ANGIER ON THE TOWN'S 100TH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire and Wainwright:

**H.B. 274**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM "TRAINING SCHOOL", AS IT APPLIES TO THE JUVENILE  
February 27, 2001



CODE, TO "YOUTH ACADEMY" IN THE GENERAL STATUTES, is referred to the Committee on Judiciary II.

By Representatives Haire, Alexander, Allen, Barefoot, Boyd-McIntyre, Clary, J. Crawford, Easterling, Goodwin, Hurley, Lucas, Luebke, Oldham, Teague, Tolson, Wainwright, Weiss, and Womble:

**H.B. 275**, A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES, is referred to the Committee on Judiciary II.

By Representative Haire:

**H.B. 276**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE FORMULA FOR CALCULATING NORTH CAROLINA ESTATE TAX ON ESTATES WITH PROPERTY IN MORE THAN ONE STATE, is referred to the Committee on Finance.

By Representative Haire:

**H.B. 277**, A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILES TO SUBMIT REQUESTS FOR REVIEW OF EXTENDED COMMITMENT DECISIONS WITHIN TEN DAYS OF RECEIPT OF THE NOTIFICATION OF EXTENDED COMMITMENT, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 278**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TYRRELL COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, is referred to the Committee on Local Government I.

By Representative Culpepper:

**H.B. 279**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

February 27, 2001

The Speaker makes the following committee assignments:

February 27, 2001

**AGING**: Add Representatives Gillespie and Weiss.

**EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES**: Representative Smith, Vice Chair.

**EDUCATION SUBCOMMITTEE ON PRE-SCHOOL, ELEMENTARY AND SECONDARY EDUCATION**: Add Representatives Bowie and Hensley.

**HEALTH**: Add Representative Brubaker.

**LEGISLATIVE REDISTRICTING**: Representative Cunningham, Vice Chair; Add Representatives Allen, Barbee, Eddins, Holmes and G. Wilson; remove Representatives Barnhart, Carpenter, and Teague.

**TRANSPORTATION**: Add Representatives Gillespie and Luebke.

On motion of Representative Culpepper, seconded by Representative Jarrell, the House adjourns at 2:20 p.m. to reconvene February 28 at 2:00 p.m.

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## TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Wednesday, February 28, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Lord God, if we have all things save a right relationship with You, we can never be truly satisfied. We acknowledge that no direction in life leads to wholeness, except the way towards which Your Spirit points; no satiation leads to satisfaction, except the fullness that comes from being filled by You; no acceptance that brings peace, until we find our acceptance in You. Truly our hearts, our basic beings, will remain restless until we rest in Your care and Your presence. O Lord, in and through our daily tasks and earthly pursuits, help us rise above the fray and seek that which is eternal, lasting, and ultimately satisfying. Help us to seek You. Amen."

February 28, 2001

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bell, Gray, Hiatt, Sutton, and Teague for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 19**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWNS OF PINE KNOLL SHORES AND INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 105**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 33**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF TWO PRESIDENTIAL ELECTORS AT LARGE AND ONE FROM EACH CONGRESSIONAL DISTRICT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 247**, A JOINT RESOLUTION HONORING THE MILITARY PERSONNEL WHO SERVED AND HONORING THOSE WHO GAVE THEIR LIVES DURING THE PERSIAN GULF WAR ON THE TENTH ANNIVERSARY OF THE WAR, with a favorable report as to committee substitute joint resolution, unfavorable as to original joint resolution.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

**H.J.R. 273**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF ANGIER ON THE TOWN'S 100TH ANNIVERSARY, with a favorable report as to committee substitute joint resolution, unfavorable as to original joint resolution.

Pursuant to Rule 36(b), the resolution is placed on the Calendar

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

The following are introduced, read the first time and referred to committee:

By Representative Redwine:

**H.B. 280**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION AND THEN AN EXTENDED RECESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

**H.B. 281**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

**H.B. 282**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

**H.B. 283**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis and Cox (Primary Sponsors) (By Request):

**H.B. 284**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HARNETT COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL BUILDINGS AND FOR WATER AND SEWER CAPITAL OUTLAY PROJECTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culp:

**H.B. 285**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RANDOLPH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 286**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF COMMUNICABLE DISEASE REPORTING REQUIREMENTS TO ALL DIAGNOSTIC LABORATORIES, is referred to the Committee on Public Health.

By Representative Edwards:

**H.B. 287**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT TO REPORT CERTAIN OCCUPATIONAL INJURIES, is referred to the Committee on Public Health.

By Representatives Baker, Allen, Allred, Arnold, Barnhart, Blust, Buchanan, Carpenter, Church, Clary, Coates, Cox, Culp, Edwards, Gillespie, Hall, Harrington, Hill, Hilton, Holmes, Howard, Hunter, Hurley, Kiser, McCombs, McLawhorn, Mitchell, Morris, Nesbitt, Pope, Preston, Rayfield, Russell, Sherrill, Shubert, Smith, Teague, Thompson, Tucker,

Underhill, Walend, Walker, Warren, Weatherly, Weiss, West, C. Wilson, and G. Wilson:

**H.B. 288**, A BILL TO BE ENTITLED AN ACT TO MAKE AN EMERGENCY APPROPRIATION FOR DISTRIBUTION OF FUNDS TO LOCAL GOVERNMENTS, is referred to the Committee on Appropriations.

By Representatives C. Wilson, Carpenter, Morris, Preston, and Shubert:

**H.B. 289**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE HIGHWAY USE TAX A TRANSFER OF A VEHICLE FROM AN OWNER TO THE SAME OWNER AND HIS OR HER SPOUSE, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representative Barnhart:

**H.B. 290**, A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, AND TO POSTPONE THE EFFECTIVE DATE OF TAXATION BY THAT TOWN, is referred to the Committee on Local Government I.

By Representatives Hill, Alexander, Bonner, Coates, Cox, Culp, Davis, Fox, Morris, Owens, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 291**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INFORMATION TECHNOLOGY IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Bonner, Church, Cox, Culp, Davis, Fox, Mitchell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 292**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Barefoot, Bonner, Cox, Culp, Davis, Fox, Mitchell, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 293**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENDANGERED PLANT PROTECTION, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Bonner, Coates, Cox, Culp, Davis, Fox, Mitchell, Owens, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 294**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTROL OF FIRE ANTS, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Bonner, Cox, Culp, Davis, Fox, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 295**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR A PLANT INDUSTRY DIVISION COMPLEX, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Barefoot, Bonner, Cox, Culp, Davis, Fox, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 296**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MULTIPURPOSE BUILDING AT THE STATE FAIRGROUNDS, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Bonner, Coates, Cox, Culp, Davis, Fox, Mitchell, Owens, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 297**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR EXPANSION OF THE AGRONOMIC SERVICES LABORATORY, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Barefoot, Bonner, Coates, Cox, Culp, Davis, Fox, Mitchell, Owens, Underhill, Warren, Weatherly, G. Wilson, and Yongue:

**H.B. 298**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE GRAHAM BUILDING AT

THE STATE FAIRGROUNDS, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Barefoot, Bonner, Coates, Cox, Culp, Davis, Fox, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 299**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RENOVATION OF THE AGRICULTURE BUILDING, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Bonner, Cox, Culp, Davis, Fox, Mitchell, Owens, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 300**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTROL AND ERADICATE JOHNE'S DISEASE, A LIVESTOCK DISEASE THAT AFFECTS DAIRY AND BEEF CATTLE PRODUCTION, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Barefoot, Bonner, Church, Coates, Cox, Culp, Davis, Fox, Mitchell, Russell, Underhill, Warren, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 301**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FOOD AND DRUG PROTECTION IMPROVEMENTS, is referred to the Committee on Appropriations.

By Representative Shubert:

**H.B. 302**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shubert:

**H.B. 303**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF UNION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shubert:

**H.B. 304**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 34TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Shubert:

**H.B. 305**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 34TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 306**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, is referred to the Committee on Wildlife Resources.

By Representative Arnold:

**H.B. 307**, A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, is referred to the Committee on Ways and Means.

By Representatives Gillespie and Hilton:

**H.B. 308**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR GEOGRAPHIC REPRESENTATION IN APPOINTING MEMBERS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

**H.B. 309**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

**H.B. 310**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Redwine and Haire:

**H.B. 311**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Rayfield, Adams, Allred, Barefoot, Barnhart, Blue, Bowie, Boyd-McIntyre, Buchanan, Capps, Clary, Culp, Cunningham, Davis, Decker, Dockham, Esposito, Fitch, Gibson, Gillespie, Goodwin, Grady, Gulley, Hall, Harrington, Hensley, Hill, Hilton, Howard, Hunter, Jarrell, Johnson, Kiser, McAllister, McComas, Michaux, Miner, Morris, Oldham, Redwine, Russell, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tucker, Walend, Walker, Warner, Warwick, Weatherly, West, G. Wilson, and Womble:

**H.B. 312**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FUNERAL EXPENSES FROM SALES AND USE TAX, is referred to the Committee on Finance.

By Representatives Preston, Gibson, and Goodwin (Primary Sponsors); Alexander, J. Crawford, Culp, Easterling, Fox, Justus, Morris, Nye, Smith, Walend, and G. Wilson:

**H.B. 313**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE ECKERD WILDERNESS EDUCATIONAL FACILITIES FOR AT-RISK YOUTH, is referred to the Committee on Appropriations.

By Representative Preston:

**H.B. 314**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VEHICLE APPROACHES ANOTHER VEHICLE IN THE OPPOSITE DIRECTION, AT NIGHT, ONLY LOW-BEAM HEADLAMPS AND NO MORE THAN TWO OTHER FACTORY-INSTALLED AUXILIARY LAMPS MAY BE ILLUMINATED, is referred to the Committee on Judiciary III.

By Representatives Haire and Barefoot:

**H.B. 315**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY THE ISSUE OF PERSONS WHO ESCAPE FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 316**, A BILL TO BE ENTITLED AN ACT TO EXPAND HURRICANE FLOYD RELIEF TO INCLUDE LICENSED FISH DEALERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Appropriations.

By Representatives Hunter, Goodwin, and Hall:

**H.B. 317**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF NONFEDERAL PAYMENTS FOR THE MEDICAID PROGRAM FOR CERTAIN COUNTIES AND TO APPROPRIATE FUNDS TO COVER THE REDUCTION IN COUNTY NONFEDERAL PAYMENTS, is referred to the Committee on Health and, if favorable, to the Committee on Appropriations.

By Representatives Pope and Weatherly (Primary Sponsors); Arnold, Blust, Culp, Daughtry, Decker, Ellis, Grady, Harrington, Hilton, Morris, Preston, and Russell:

**H.B. 318**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Howard:

**H.B. 319**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 74TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Adams, Alexander, Coates, Easterling, Hensley, Hunter, Insko, Jeffus, Luebke, McAllister, and Michaux:

**H.B. 320**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE STORAGE OF FIREARMS TO PROTECT MINORS, is referred to the Committee on Judiciary I.

By Representative Coates:

**H.B. 321**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 35TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Adams, Church, Clary, Earle, Luebke, and Warren:

**H.B. 322**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW OPTIONS UNDER FEDERAL LAW FOR INCREASING MEDICAID MEDICALLY NEEDY INCOME LIMITS, is referred to the Committee on Aging and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jarrell:

**H.B. 323**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jarrell:

**H.B. 324**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culp and Gillespie:

**H.B. 325**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE RESTRICTIONS ON A LEVEL 2 LIMITED LEARNER'S PERMIT, is referred to the Committee on Judiciary III.

#### MESSAGE FROM THE SENATE

The following is received from the Senate:

February 28, 2001

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE PENALTIES AND ENFORCEMENT PROVISIONS IN THE HMO LAWS, is read the first time and referred to the Committee on Finance.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 86**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES, is withdrawn from the Calendar and placed on the Calendar of March 1.

### CALENDAR

Action is taken on the following:

**H.B. 175**, A BILL TO BE ENTITLED AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION, passes its second reading by electronic vote (100-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 47**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, passes its second reading by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 71**, A BILL TO BE ENTITLED AN ACT ALLOWING CLAY COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, passes its second reading by electronic vote (108-1), and there being no objection is read a third time.

Representatives Thompson, Sherrill, and Warwick request and are granted permission to be recorded as voting "aye". The adjusted vote total is (111-1).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 114**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE U.S. HIGHWAY 70 IN NORTH CAROLINA AS THE "BLUE STAR MEMORIAL AND AMERICAN EX-PRISONERS OF WAR HIGHWAY",

passes its second reading by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**S.B. 29**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE, passes its second reading by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **BILLS PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and the following resolutions are placed on today's Calendar.

**H.J.R. 247**, (Committee Substitute) A JOINT RESOLUTION HONORING THE MILITARY PERSONNEL WHO SERVED AND HONORING THOSE WHO GAVE THEIR LIVES DURING THE PERSIAN GULF WAR ON THE TENTH ANNIVERSARY OF THE WAR, passes its second reading by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.J.R. 273**, (Committee Substitute) A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF ANGIER ON THE TOWN'S 100TH ANNIVERSARY, passes its second reading by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

February 28, 2001

The Speaker makes the following committee assignments:

February 28, 2001

**INSURANCE:** Representative Wainwright, Vice Chair.

**LEGISLATIVE REDISTRICTING:** Add Representative Brubaker; Remove Representative Johnson.

**RULES:** Add Representative Setzer.

**TRANSPORTATION:** Add Representatives Gibson and Shubert.

On motion of Representative Culpepper, seconded by Representative Shubert, the House adjourns at 2:39 p.m. to reconvene March 1 at 11:00 a.m.

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## TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Thursday, March 1, 2001

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, we seek to do Your will, yet the means by which it is to be accomplished sometimes eludes us. We know well Your ideals of fairness, justice, and mercy, yet how these are to be established remains a mystery. In the ambiguity of life and the political process, it would be easy to seek worthy goals by whatever means they could be enacted. But You are a holy God, whose concern is not simply with the product, but with the process, not simply with the end, but the means as well. In all that we do, O God, may our objectives be honorable and the manner in which they are brought about be commendable in Your sight. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of February 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bell, Blue, Brubaker, Gray, Hiatt, Hurley, McAllister, Teague, Weiss, and Wright for today.

March 1, 2001

## REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 115**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING BUSINESS TRANSACTIONS INVOLVING PUBLIC FUNDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

## INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Mitchell:

**H.B. 326**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE CERTIFICATION OF WELL CONTRACTORS, is referred to the Committee on Ways and Means.

By Representatives Allen and Gibson:

**H.B. 327**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATE TREASURER'S INVESTMENT AUTHORITY, is referred to the Committee on Finance.

By Representatives Warren, Cox, Earle, Insko, Morris, Russell, and Wainwright:

**H.J.R. 328**, A JOINT RESOLUTION URGING CONGRESS TO ADOPT INCENTIVES THAT ENCOURAGE THE PURCHASE OF PRIVATE LONG-TERM CARE INSURANCE AND TO ELIMINATE FEDERAL BARRIERS TO THE EXPANSION OF MEDICAID LONG-TERM CARE PARTNERSHIP PLANS, is referred to the Committee on Aging and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.



By Representatives Warren, Baddour, Cox, Earle, Insko, and Wainwright:

**H.B. 329**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRANSPORTATION SERVICES OFFERED BY ADULT DAY CARE PROGRAMS, is referred to the Committee on Health.

By Representatives Tolson and J. Crawford:

**H.B. 330**, A BILL TO BE ENTITLED AN ACT TO FUND THE EXPANDED INFORMATION SYSTEMS AUDIT FUNCTION OF THE STATE AUDITOR AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON INFORMATION TECHNOLOGY, is referred to the Committee on Science and Technology.

By Representative Tolson:

**H.B. 331**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL PUBLIC MEMBERS OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION, is referred to the Committee on Science and Technology.

By Representatives Tolson and Hackney:

**H.B. 332**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENERGY IMPROVEMENT PROGRAM, is referred to the Committee on State Government.

By Representative Grady:

**H.B. 333**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISION FOR PAYMENT OF THE DEATH BENEFIT UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Luebke:

**H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH

CAROLINA INTERNSHIP COUNCIL, is referred to the Committee on State Government.

By Representatives Russell, Baddour, Esposito, Gillespie, Hilton, Preston, and Sexton:

**H.B. 335**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISPOSITION OF A FIREARM TO PROVIDE THAT UPON ORDER OF THE APPROPRIATE COURT, A LAW ENFORCEMENT AGENCY MAY USE THE FIREARM, OR MAY TRADE, EXCHANGE, OR SELL THE FIREARM TO A FEDERALLY LICENSED FIREARMS DEALER AND USE THE SALE PROCEEDS FOR LAW ENFORCEMENT PURPOSES, is referred to the Committee on Judiciary III.

By Representatives Insko, Alexander, Baddour, and Wainwright:

**H.B. 336**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Buchanan:

**H.B. 337**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY EXPENSE ALLOWANCE, PER DIEM RATE, AND MILEAGE REIMBURSEMENT OF MEMBERS OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 338**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives C. Wilson and Harrington:

**H.B. 339**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CENTRALIZED CREDENTIALING PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson, Alexander, Hackney, and Insko:

**H.B. 340**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALTERNATIVE FUELED VEHICLES MAY USE HIGH OCCUPANCY VEHICLE LANES AND MAY USE PARKING SPACES DESIGNATED FOR ALTERNATIVE FUELED VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Tolson, Alexander, Baddour, Dockham, Gillespie, Hilton, Kiser, Morris, Preston, and Sherrill:

**H.B. 341**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMUNITY COLLEGES SYSTEM TO PAY FEES AND MATERIAL COSTS FOR SOME COMPANIES UNDER THE FOCUSED INDUSTRIAL TRAINING PROGRAM, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Redwine:

**H.B. 342**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ADMISSIBILITY, PHOTOGRAPHIC REPRODUCTION, AND RETENTION OF RECORDS OF THE EMPLOYMENT SECURITY COMMISSION, is referred to the Committee on Judiciary I.

By Representative Redwine:

**H.B. 343**, A BILL TO BE ENTITLED AN ACT REMOVING SUNSET PROVISIONS RELATING TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND MAKING OTHER AMENDMENTS, is referred to the Committee on Judiciary I.

By Representative Redwine:

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is referred to the Committee on Judiciary I.

By Representative Redwine:

**H.B. 345**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE EMPLOYMENT SECURITY COMMISSION TO EXPEND REED ACT FUNDS, is referred to the Committee on Appropriations.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 346**, A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, is referred to the Committee on Insurance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 347**, A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTERMEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES, is referred to the Committee on Insurance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 348**, A BILL TO BE ENTITLED AN ACT TO REPEAL MISCELLANEOUS FEES PAID BY INSURANCE COMPANIES TO THE DEPARTMENT OF INSURANCE; AND TO INCREASE THE INSURANCE COMPANY LICENSE APPLICATION AND RENEWAL FEES TO MAKE THE REPEALS REVENUE NEUTRAL, is referred to the Committee on Insurance and, if favorable, to the Committee on Finance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 349**, A BILL TO BE ENTITLED AN ACT TO MAKE THE NORTH CAROLINA INSURANCE INFORMATION AND PRIVACY PROTECTION ACT COMPLY WITH THE CONSUMER INFORMATION

PRIVACY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, is referred to the Committee on Insurance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 350**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO SHARE WITH THE FEDERAL AND STATE FINANCIAL INSTITUTION REGULATORS INFORMATION ABOUT INSURANCE COMPANIES THAT ARE AFFILIATES OF DEPOSITORY INSTITUTIONS OR OF FINANCIAL HOLDING COMPANIES; TO AMEND THE INSURANCE HOLDING COMPANY ACT AND AN INSURANCE COMPANY INVESTMENT STATUTE TO COMPLY WITH FEDERAL LAW, IN ACCORDANCE WITH THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, is referred to the Committee on Insurance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 351**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND SUBSTANTIVE CHANGES IN THE LAW GOVERNING MANAGED CARE UTILIZATION REVIEW AND GRIEVANCE PROCEDURES, is referred to the Committee on Insurance.

By Representatives Hurley and Dockham (Primary Sponsors):

**H.B. 352**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE IN THE RISK SHARING PLAN LAW, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 353**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS AND NONRENEWALS, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 354**, A BILL TO BE ENTITLED AN ACT TO REMOVE AN INEQUITY FROM THE INSURANCE GUARANTY ASSOCIATION ACT RELATING TO WORKERS' COMPENSATION CLAIMS ARISING ON AND AFTER JANUARY 1, 1993; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE

RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 355**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FISCAL NOTE REQUIREMENT FOR CHANGES IN THE STATE BUILDING CODE; TO UPDATE REFERENCES TO ORGANIZATIONS WHOSE STANDARDS MAY BE USED IN ADOPTING CODE PROVISIONS; AND TO GIVE THE BUILDING CODE COUNCIL EXPLICIT AUTHORITY TO USE STANDARDS OF INTERNATIONAL AGENCIES, is referred to the Committee on State Government.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 356**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 357**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 358**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION

LAW APPLIES TO ALL PERSONS SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 359**, A BILL TO BE ENTITLED AN ACT TO REVISE NORTH CAROLINA'S LAW REGULATING VIATICAL SETTLEMENTS IN ACCORDANCE WITH A MODEL ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, is referred to the Committee on Insurance.

By Representatives Dockham and Hurley (Primary Sponsors):

**H.B. 360**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY ALLOW NONBINDING ARBITRATION IN HEALTH INSURANCE POLICIES; CLARIFY THE PREFERRED PROVIDER PLAN LAW; AMEND THE SMALL EMPLOYER RATE GUARANTEE LAW; PROVIDE FOR THE PROMOTION OF ALCOHOL AND NARCOTIC SCREENING AND INTERVENTION; AMEND THE LAW ON NEWBORN AND FOSTER CHILD COVERAGE; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONFINEMENT OR PREGNANCY; PROVIDE FOR A HEALTH INSURANCE CONTINUATION ELECTION PERIOD; REQUIRE AN HMO GROUP COVERAGE PREMIUM CHANGE NOTICE; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONDITIONS FIRST DIAGNOSED UNDER PREVIOUS COVERAGE; TO EXPAND MEDICARE SUPPLEMENT GUARANTEED ISSUANCE FOR DISABLED PERSONS; TO ALLOW THE INSURANCE COMMISSIONER TO ADOPT TEMPORARY RULES FOR MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE TO IMPLEMENT FEDERAL REQUIREMENTS; AND TO MAKE TECHNICAL CORRECTIONS TO REFLECT REPEALS OF LAWS, is referred to the Committee on Insurance.

By Representatives Sutton and Yongue:

**H.B. 361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Appropriations.

By Representatives Sutton, Barefoot, Bonner, Goodwin, Lucas, and Yongue:

**H.B. 362**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Sutton, Barefoot, Bonner, Lucas, and Yongue:

**H.B. 363**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN TRIBES, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Sutton, Bonner, and Yongue:

**H.B. 364**, A BILL TO BE ENTITLED AN ACT EXEMPTING THE TOWN OF PEMBROKE FROM THE LIMIT ON THE SIZE OF SATELLITE ANNEXATIONS, is referred to the Committee on Finance.

By Representatives Sutton, Bonner, and Yongue:

**H.B. 365**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RENNERT VOLUNTEER FIRE DEPARTMENT FOR PAVING NEEDS, is referred to the Committee on Appropriations.

By Representatives Barefoot and Alexander:

**H.B. 366**, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S CONSERVATION LAB TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART AND TO CHARGE A FEE FOR THIS SERVICE, is referred to the Committee on Cultural Resources and, if favorable, to the Committee on Finance.

By Representative J. Crawford:

**H.B. 367**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRANVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative J. Crawford:

**H.B. 368**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HALIFAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative J. Crawford:

**H.B. 369**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF VANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative J. Crawford:

**H.B. 370**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF FRANKLIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mitchell:

**H.B. 371**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, is referred to the Committee on Environment and Natural Resources.

By Representatives Haire and Barefoot:

**H.B. 372**, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING THE DEFINITION OF "JUDGMENT FINALLY OBTAINED" AND BY CHANGING THE TIME PERIODS FOR EXTENDING AND ACCEPTING OFFERS OF JUDGMENT PRIOR TO TRIAL AND TO MAKE OTHER CONFORMING CHANGES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Yongue, Bonner, and Sutton (Primary Sponsors); and Barefoot:

**H.B. 373**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PAY A BONUS TO CHILD NUTRITION PERSONNEL IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representative Culpepper:

**H.B. 374**, A BILL TO BE ENTITLED AN ACT TO GRANT THE STATE BOXING COMMISSION THE AUTHORITY TO REGULATE WRESTLING AND MIXED MARTIAL ARTS EVENTS, TO AMEND THE LAWS REGULATING BOXING, AND TO ALLOW THE COMMISSION TO INCREASE CERTAIN FEES, is referred to the Committee on State Government.

By Representatives Culpepper and Alexander:

**H.B. 375**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE, is referred to the Committee on Children, Youth and Families.

By Representatives Culpepper, Esposito, Gillespie, and Hilton:

**H.J.R. 376**, A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Culpepper and Alexander:

**H.B. 377**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT, is referred to the Committee on Judiciary II.

By Representatives Culpepper and Barefoot:

**H.B. 378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE JUVENILE CRIME PREVENTION COUNCILS, is referred to the Committee on Appropriations.

By Representatives Owens, Allen, Goodwin, and Sherrill:

**H.B. 379**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Finance.

By Representatives Insko, Alexander, Cox, J. Crawford, Hackney, Nesbitt, Wainwright, Weiss, and Womble:

**H.B. 380**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COALITION 2001 PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, is referred to the Committee on Appropriations.

By Representatives Insko, Alexander, Barefoot, J. Crawford, and Hackney:

**H.B. 381**, A BILL TO BE ENTITLED AN ACT TO PHASE-IN IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM AT THE STATE AND LOCAL LEVEL, is referred to the Committee on Mental Health.

By Representatives Russell, Coates, Hill, Hilton, and Underhill:

**H.B. 382**, A BILL TO BE ENTITLED AN ACT ADOPTING THE STRAWBERRY AS THE OFFICIAL FRUIT OF NORTH CAROLINA, is referred to the Committee on State Government.

By Representatives Nesbitt, Haire, and Walend:

**H.B. 383**, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO WAIVE IMMUNITY FOR NEGLIGENCE LIABILITY BY THE ADOPTION OF A FUNDED RESERVE AND TO CLARIFY THAT ANY WAIVER OF IMMUNITY IS FROM THE FIRST DOLLAR OF DAMAGES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Nesbitt, Barefoot, Haire, and Walend:

**H.B. 384**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO LOCAL GOVERNMENT TORT LIABILITY AND STATE

TORT LIABILITY, AND TO APPROPRIATE FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 385**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Yongue and Bonner (Primary Sponsors); Dockham, Esposito, Gillespie, Kiser, McLawhorn, Morris, Preston, and Sherrill:

**H.B. 386**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS, is referred to the Committee on Education.

By Representatives Cansler and Preston:

**H.B. 387**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES FOR DEVELOPMENTALLY DISABLED ADULTS, is referred to the Committee on Public Health.

By Representative Bonner:

**H.B. 388**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROBESON COUNTY AFRICAN-AMERICAN CULTURAL CENTER FOR ARCHITECTURAL DESIGN AND EXPANSION OF ITS CENTER, is referred to the Committee on Appropriations.

By Representatives Tolson, Barbee, Barefoot, Haire, Morris, Shubert and Wainwright:

**H.B. 389**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PROJECTS FOR IMPROVEMENTS TO EXISTING FACILITIES FOR ENERGY EFFICIENCY RECEIVE THE HIGHEST LEVEL OF PRIORITY FOR USE OF FUNDS IN THE REPAIRS AND RENOVATIONS RESERVE ACCOUNT; TO ESTABLISH THE STATE FACILITIES ENERGY CONSERVATION PROGRAM; TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION TO ENTER INTO ALTERNATIVE FINANCING AGREEMENTS FOR THE PURCHASE OF ENERGY CONSERVATION PROJECTS; TO AUTHORIZE THE ISSUANCE OF

BONDS THAT ARE SECURED BY AN INTEREST IN THE PROPERTY PURCHASED; AND TO ALLOW STATE DEPARTMENTS TO RETAIN YEAR-END REVERSIONS FOR A PERIOD OF FOUR YEARS TO IMPLEMENT OPERATION AND MAINTENANCE ENERGY CONSERVATION MEASURES, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Smith, Dockham, Esposito, Gillespie, Kiser, McLawhorn, Morris, Preston, and Sherrill:

**H.B. 390**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROVISIONS OF THE COMMUNITY COLLEGES' NEW AND EXPANDING INDUSTRY PROGRAM, is referred to the Committee on Education.

By Representatives Easterling, Alexander, Insko, McLawhorn, and Wainwright:

**H.B. 391**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT OF HEALTHY CAROLINIAN PARTNERSHIP INITIATIVES IN EACH COUNTY, is referred to the Committee on Appropriations.

By Representatives Easterling, Alexander, Insko, and Wainwright:

**H.B. 392**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HEALTHY START FOUNDATION, is referred to the Committee on Appropriations.

By Representatives Easterling, Alexander, Insko, and Wainwright:

**H.B. 393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROMOTE THE USE OF EVIDENCED-BASED CLINICAL GUIDELINES, is referred to the Committee on Appropriations.

By Representatives Easterling, Alexander, Hackney, Insko, and Wainwright:

**H.B. 394**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PRENATAL CARE FOR NON-MEDICAID, LOW-INCOME WOMEN, is referred to the Committee on Appropriations.

By Representatives Easterling, Alexander, Hackney, Insko, and Wainwright:

**H.B. 395**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ADDRESS LOCAL GAPS IN PERINATAL HEALTH CARE SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Easterling, Alexander, Hackney, Insko, and Wainwright:

**H.B. 396**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHILD MEDICAL EVALUATION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Easterling, Oldham, Redwine, and Thompson:

**H.B. 397**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Easterling, Oldham, Redwine, and Thompson:

**H.B. 398**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Easterling, Oldham, Redwine, and Thompson:

**H.B. 399**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Haire and Barefoot:

**H.B. 400**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DISTRIBUTION OF WRONGFUL DEATH PROCEEDS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Dockham, Esposito, Gillespie, Gulley, Kiser, McLawhorn, Morris, Preston, Sherrill, and Wainwright:

**H.B. 401**, A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE, is referred to the Committee on Education.

By Representative Rogers:

**H.B. 402**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BERTIE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rogers:

**H.B. 403**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rogers:

**H.B. 404**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 6TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers and Preston:

**H.B. 405**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE REGARDING THE STATE TESTING AND STUDENT ACCOUNTABILITY PROGRAM, is referred to the Committee on Education.

By Representative Russell:

**H.B. 406**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GREENE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Russell:

**H.B. 407**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Russell:

**H.B. 408**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Adams, Bell, Blue, Bonner, Boyd-McIntyre, Cunningham, Hall, Lucas, McAllister, Michaux, Wainwright, and Womble:

**H.B. 409**, A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE REVIEW OF DISPARITIES IN HIRING, COMPENSATION, ADVANCEMENT, AND RETENTION ACROSS DEMOGRAPHIC GROUPS WITHIN STATE GOVERNMENT EMPLOYMENT, is referred to the Committee on State Government.

By Representatives Cox, Dockham, Gillespie, McLawhorn, and Sherrill:

**H.B. 410**, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL PROPERTY, is referred to the Committee on Education.

By Representatives Hill, Alexander, Jarrell, Kiser, Morris, Shubert, Teague, and Warren:

**H.B. 411**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX CREDIT FOR PERMITTING GLEANING OF CROPS AND TO ESTABLISH A CREDIT AGAINST INCOME TAX FOR THE DONATION OF HARVESTED AND PACKAGED FRESH PRODUCE, is referred to the Committee on Finance.

By Representatives Hill, Alexander, Edwards, Jarrell, Kiser, McLawhorn, Teague, and Warren:

**H.B. 412**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A RESEARCH AND OUT-REACH PROGRAM FOR THE CONTROL OF THE RED IMPORTED FIRE ANT, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Edwards, Jarrell, Kiser, McLawhorn, Teague, and Warren:

**H.B. 413**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE IMPORTED FIRE ANT



PROGRAM IN THE PLANT INDUSTRY DIVISION OF THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Jarrell, and Warren:

**H.B. 414**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TECHNOLOGY IMPROVEMENTS FOR THE STANDARDS DIVISION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, and Warren:

**H.B. 415**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL LP GAS INSPECTORS AND FOR OPERATING COSTS OF THE LP GAS INSPECTION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Hill, Alexander, Edwards, Kiser, Morris, Teague, and Warren:

**H.B. 416**, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCOME TAX CREDIT FOR TAXPAYERS INVESTING IN AGRIBUSINESS ENTERPRISES THAT ADD VALUE TO RAW, NORTH CAROLINA GROWN AGRICULTURAL COMMODITIES, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Boyd-McIntyre, Alexander, Barefoot, Bonner, Buchanan, Cole, Cunningham, Fox, Hackney, Hill, Jarrell, Jeffus, Luebke, McLawhorn, Oldham, Rogers, Saunders, Wainwright, Warren, Weiss, and Yongue:

**H.B. 417**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR SCHOOL TECHNOLOGY NEEDS, is referred to the Committee on Appropriations.

By Representatives Warwick, Barefoot, Edwards, Hill, Justus, McComas, Owens, Preston, Rayfield, Redwine, Rogers, Smith, Tolson, Tucker, Underhill, Wainwright, and Wright:

**H.B. 418**, A BILL TO BE ENTITLED AN ACT TO ACKNOWLEDGE STATE POLICY THAT BEACH PRESERVATION AND RESTORATION ARE IN THE PUBLIC INTEREST AND THAT

WHERE ECONOMICALLY AND ENVIRONMENTALLY JUSTIFIED BEACH PRESERVATION AND RESTORATION CONSTITUTE A PUBLIC PURPOSE, TO ESTABLISH THE NORTH CAROLINA BEACH PRESERVATION AND RESTORATION COMMISSION, TO ESTABLISH THE BEACH PRESERVATION AND RESTORATION FUND, AND TO APPROPRIATE FUNDS TO THE BEACH PRESERVATION AND RESTORATION FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warwick, Allen, Allred, Baddour, Barbee, Barefoot, Bonner, Bowie, Boyd-McIntyre, Brubaker, Cansler, Cox, J. Crawford, Culp, Cunningham, Davis, Decker, Dedmon, Eddins, Edwards, Gibson, Goodwin, Grady, Gulley, Haire, Harrington, Hensley, Hill, Hurley, Johnson, Justus, Luebke, McComas, McCombs, McLawhorn, Mitchell, Morris, Nesbitt, Nye, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warner, G. Wilson, Wright, and Yongue:

**H.J.R. 419**, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S TOURISM INDUSTRY AND ITS ECONOMIC IMPACT STATEWIDE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Howard, Adams, Alexander, Arnold, Blue, Bowie, Brubaker, Cansler, Capps, Clary, Coates, Culp, Davis, Earle, Easterling, Esposito, Insko, Jarrell, Jeffus, Johnson, McAllister, McComas, McLawhorn, Michaux, Mitchell, Morgan, Morris, Preston, Russell, Setzer, Sexton, Sherrill, Underhill, Walend, Warren, Weiss, C. Wilson, and Womble:

**H.B. 420**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SCHOOL BREAKFAST PROGRAM, is referred to the Committee on Appropriations.

By Representatives McLawhorn, Allen, Cox, Dockham, Gillespie, Jarrell, Kiser, Rogers, and Wainwright:

**H.B. 421**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL, is referred to the Committee on Education.

By Representatives McLawhorn and Preston (Primary Sponsors); Allen, Boyd-McIntyre, Church, Cox, J. Crawford, Dockham, Esposito,

Gillespie, Holliman, Hurley, Insko, Jarrell, Kiser, Morris, Rogers, Sherrill, Wainwright, and Warren:

**H.B. 422**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MEET THE NEEDS OF COMMUNITY COLLEGE STUDENTS WITH DISABILITIES, is referred to the Committee on Appropriations.

By Representatives Adams, Bowie, Boyd-McIntyre, Hall, Jarrell, Jeffus, and Womble:

**H.B. 423**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, is referred to the Committee on Highway Safety and Law Enforcement.

By Representatives Adams and Jeffus:

**H.B. 424**, A BILL TO BE ENTITLED AN ACT ALLOWING THE DEPARTMENT OF CULTURAL RESOURCES TO CHARGE AN ADMISSION FEE TO ANY MUSEUM, HISTORIC PROPERTY, OR OTHER LOCATION OR EVENT ADMINISTERED BY THE DEPARTMENT, is referred to the Committee on Cultural Resources and, if favorable, to the Committee on Finance.

By Representatives Adams, Hall, McAllister, Michaux, and Womble:

**H.B. 425**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS ON STOPS MADE BY CERTAIN LOCAL LAW ENFORCEMENT AGENCIES, is referred to the Committee on Highway Safety and Law Enforcement.

By Representatives Cox and Davis (Primary Sponsors) (By Request):

**H.B. 426**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LEE COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES AND COMMUNITY COLLEGE PLANT FUND PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Dockham, and McLawhorn:

**H.B. 427**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS OF THE IN-PLANT TRAINING PROGRAM, is referred to the Committee on Education.

By Representatives Jeffus, Adams, Alexander, Arnold, Baddour, Barefoot, Boyd-McIntyre, Brubaker, Buchanan, Coates, Cox, Cunningham, Dockham, Easterling, Edwards, Esposito, Fox, Hackney, Haire, Hall, Hill, Howard, Jarrell, Luebke, McAllister, McLawhorn, Morris, Nesbitt, Preston, Russell, Sherrill, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Weiss, Womble, and Yongue:

**H.B. 428**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND, is referred to the Committee on Appropriations.

By Representatives Jeffus and Sherrill:

**H.B. 429**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, is referred to the Committee on State Government.

By Representatives Warner, Allen, Allred, Cole, Dedmon, Esposito, Gibson, Goodwin, Hurley, Morris, Preston, Rayfield, Sexton, Teague, and Wainwright:

**H.B. 430**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE, WITHOUT AN ADDITIONAL FEE, SPECIAL REGISTRATION PLATES TO WORLD WAR II VETERANS, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

By Representatives Saunders, Alexander, Boyd-McIntyre, Dockham, Gillespie, Gulley, McLawhorn, Preston, Sherrill, Tolson, Wainwright, and Warren:

**H.B. 431**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES AND POLICIES REGARDING THE USE OF FUNDS FOR STUDENT FINANCIAL ASSISTANCE, is referred to the Committee on Education.

By Representatives Saunders, Cole, and Weatherly:

**H.B. 432**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, TO ESTABLISH EDUCATIONAL REQUIREMENTS REQUIRED FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, AND TO INCREASE FEES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Blust, Allen, Arnold, Capps, Carpenter, Davis, Decker, Gillespie, Gulley, Hill, Hilton, Holmes, Howard, Johnson, Kiser, McMahan, Mitchell, Morris, Preston, Sexton, Shubert, Starnes, Weatherly, West, C. Wilson, and G. Wilson:

**H.B. 433**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE STATE INCOME TAX PERSONAL EXEMPTION AND STANDARD DEDUCTION AMOUNTS TO THE FEDERAL AMOUNTS, is referred to the Committee on Finance.

By Representatives Haire, Barefoot, Hackney, and Pope:

**H.B. 434**, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, is referred to the Committee on Judiciary II.

By Representative Weiss:

**H.B. 435**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNOR MOREHEAD SCHOOL TO PROVIDE STAFF AND OTHER ASSISTANCE TO A NONPROFIT CORPORATION ESTABLISHED TO SUPPORT THE SCHOOL, is referred to the Committee on State Government.

By Representative Weiss:

**H.B. 436**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE ELECTROLYSIS

PRACTICE ACT RELATING TO FEES, is referred to the Committee on Finance.

By Representatives Tolson, Barbee, Cox, and Goodwin:

**H.B. 437**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY, is referred to the Committee on Health.

By Representatives Yongue and Bonner (Primary Sponsors); Dockham, McLawhorn, and Preston:

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, is referred to the Committee on Education.

By Representatives Haire, Barefoot, and Pope:

**H.B. 439**, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Weiss and Baddour:

**H.B. 440**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Gibson and Barefoot:

**H.B. 441**, A BILL TO BE ENTITLED AN ACT AMENDING THE PROVISIONS OF THE STATE EMPLOYEES INCENTIVE BONUS PROGRAM, ARTICLE 36A OF CHAPTER 143 OF THE GENERAL STATUTES, is referred to the Committee on State Personnel.

By Representatives Gibson, Allred, Arnold, Barbee, Barnhart, Bowie, Brubaker, Cansler, Capps, Clary, Cole, Cox, Creech, Culp, Daughtry, Davis, Decker, Dedmon, Dockham, Eddins, Edwards, Ellis, Esposito, Gillespie, Goodwin, Grady, Gulley, Harrington, Hill, Hilton, Holmes,

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Johnson, Justus, Kiser, McMahan, Mitchell, Morris, Nye, Pope, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tucker, Walend, Walker, Warner, Warwick, C. Wilson, and G. Wilson:

**H.B. 442**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, is referred to the Committee on Judiciary II.

By Representatives Gibson and Walker (Primary Sponsors); Dockham, McLawhorn, and Preston:

**H.B. 443**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NORTH CAROLINA COMMUNITY COLLEGES INSTRUCTIONAL TRUST FUND, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Gibson:

**H.B. 444**, A BILL TO BE ENTITLED AN ACT CONCERNING THE HOUSING FINANCE AGENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

**H.B. 445**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROFESSIONAL DEVELOPMENT PROGRAM FOR CODE-ENFORCEMENT OFFICIALS, TO AUTHORIZE THE USE OF FUNDS FROM THE DEPARTMENT OF INSURANCE FUND FOR PROFESSIONAL DEVELOPMENT OF CODE-ENFORCEMENT OFFICIALS, AND TO APPROPRIATE FUNDS FROM THE DEPARTMENT OF INSURANCE FUND FOR THAT PURPOSE, is referred to the Committee on State Government and, if favorable, to the Committee on Appropriations.

By Representatives Gibson and Tucker:

**H.B. 446**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ABC BOARDS TO ENTER COOPERATIVE AGREEMENTS FOR MANAGEMENT OF ABC STORES, is referred to the Committee on Alcoholic Beverage Control.

By Representative Gibson:

**H.B. 447**, A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF NORWOOD AND STAGGERING THOSE TERMS, is referred to the Committee on Local Government I.

By Representative Gibson:

**H.B. 448**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

**H.B. 449**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

**H.B. 450**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Arnold, Smith, and Wright:

**H.B. 451**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION, is referred to the Committee on Judiciary I.

By Representatives Wright and Wainwright:

**H.B. 452**, A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973, is referred to the Committee on Health.

By Representative Wright:

**H.B. 453**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES, is referred to the Committee on Health.



By Representatives Boyd-McIntyre, Adams, Alexander, Barefoot, Bell, Cunningham, Goodwin, Morris, Wainwright, Womble, and Wright:

**H.B. 454**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND EDUCATION ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives McCombs, Arnold, Coates, Daughtry, Decker, Dockham, Mitchell, Rayfield, Walend, Walker, Weatherly, and G. Wilson:

**H.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT FOR ADDITIONAL SERVICES BY THE STATE HIGHWAY PATROL AT EVENTS CONDUCTED BY PRIVATE ORGANIZATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunter, Alexander, Boyd-McIntyre, Goodwin, Morris, and Wainwright:

**H.B. 456**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON THE INVESTIGATION OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES, is referred to the Committee on Children, Youth and Families and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunter, Alexander, Boyd-McIntyre, and Morris:

**H.B. 457**, A BILL TO BE ENTITLED AN ACT TO REPEAL G.S. 110-108 TO CONFORM WITH FEDERAL REQUIREMENTS, is referred to the Committee on Children, Youth and Families and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.J.R. 139** (Committee Substitute), A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER, is returned for concurrence in Senate committee substitute joint resolution.

Pursuant to Rule 43.3(a), the Senate committee substitute joint resolution is placed on the Calendar of March 5.

Upon concurrence, the Senate committee substitute joint resolution changes the title.

**S.B. 2** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A JOINT TICKET IN THE GENERAL ELECTION, TO CLARIFY THE STATUS OF ACTING GOVERNOR, TO PROVIDE THAT THE LIEUTENANT GOVERNOR SHALL BE NOMINATED BY THE PARTY EXECUTIVE COMMITTEE, RATHER THAN UNDER THE PRIMARY ACT, TO PROVIDE THAT IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL APPOINT A SUCCESSOR SUBJECT TO CONFIRMATION, AND TO PROVIDE THAT THE PROCEDURES FOR REMOVAL OF THE LIEUTENANT GOVERNOR ARE THE SAME AS THOSE FOR REMOVAL OF THE GOVERNOR, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS WHO ARE JUVENILES TO THE JUVENILE LOCAL CRIME PREVENTION COUNCILS AND TO THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND BY ADDING THE ATTORNEY GENERAL TO THE STATE ADVISORY COUNCIL, is read the first time and referred to the Committee on Judiciary II.

**S.B. 45**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES, is read the first time and referred to the Committee on Judiciary III.

**S.B. 67**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO CHANGE THE NAME OF THAT COMMITTEE ACCORDINGLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 119**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTION OF DISTRICT COURT JUDGES, is read the first time and referred to the Committee on Judiciary II.

**S.B. 148**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY, is read the first time and referred to the Committee on Transportation.

### CALENDAR

Action is taken on the following:

**H.B. 86**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 168**, A BILL TO BE ENTITLED AN ACT TO PERMIT A CORPORATION TO TRANSFER ASSETS TO A WHOLLY OWNED UNINCORPORATED ENTITY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 182**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ANTI-LAPSE STATUTE TO PROVIDE THAT THE INTEREST OF A DECEASED CLASS MEMBER WHO LEAVES NO ISSUE DEVOLVES UPON THE REMAINING CLASS MEMBERS AND THE ISSUE OF OTHER DECEASED CLASS MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Culpepper moves, seconded by Representative Blust, that the House adjourn, subject to the ratification of bills to reconvene Monday, March 5, 2001, at 7:00 p.m.

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The motion carries.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 29, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE.**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 273, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF ANGIER ON THE TOWN'S 100TH ANNIVERSARY. (RESOLUTION 2001-3)**

The House stands adjourned at 11:34 a.m.

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## TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Monday, March 5, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"I invite you to join me in a moment of silence remembering Liston Ramsey's wife, Florence, our former Speaker's wife, who died Friday.

"O God, at the beginning of a new week, we come to You the source of new beginnings. Show us this week new opportunities to grow in our appreciation for opinions that differ from our own. Teach us innovative ways to grapple with old problems so that a new future can be created for this State. Open inventive pathways of understanding so that what seemed last week impossible might now become probable. Help us to trust Your creative Spirit, which is already at work in our midst, giving guidance and

vision to our discussions and deliberations. May our words and our votes reflect our belief in Your power to make all things new. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Brubaker, Cole, Cunningham, Dockham, Gibson, Jeffus, Johnson, Justus, Luebke, Rogers, Sutton, Thompson, Warwick, Weiss, and Wright for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 183**, A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 163**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 41**, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION

ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 6.

### **SUBCOMMITTEE REFERRAL**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer **H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, to the Education Subcommittee on Community Colleges.

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

The following are introduced, read the first time and referred to committee:

By Representatives Blust, Barbee, Barnhart, Buchanan, Capps, Daughtry, Davis, Decker, Eddins, Esposito, Gillespie, Gulley, Harrington, Hill, Hilton, Johnson, Justus, Kiser, McCombs, Morris, Rayfield, Setzer, Sherrill, Shubert, Walend, C. Wilson, and G. Wilson:

**H.B. 458**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE RIGHTS OF BOY SCOUTS AND GIRL SCOUTS REGARDING THE USE OF SCHOOL PROPERTY, is referred to the Committee on Education.

By Representatives Allen, Buchanan, Luebke, and Wainwright:

**H.B. 459**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR TECHNOLOGY, EFFICIENCY, AND CUSTOMER SERVICE IMPROVEMENTS RECOMMENDED BY THE STATE AUDITOR'S PERFORMANCE AUDIT, is referred to the Committee on Appropriations.

By Representatives Ellis, Blust, Capps, Decker, Hackney, Hilton, Howard, Insko, McCombs, Russell, and Warwick:

**H.B. 460**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A MEMORIAL MARKER PROGRAM FOR PERSONS KILLED AS A

RESULT OF ACCIDENTS INVOLVING IMPAIRED DRIVING, is referred to the Committee on Transportation.

By Representative Allen:

**H.B. 461**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 462**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AND CHARTER SCHOOL STUDENTS WHO PARTICIPATE IN UNPAID, SCHOOL-APPROVED, WORK-BASED LEARNING EXPERIENCES LOCATED OFF SCHOOL GROUNDS ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, is referred to the Committee on Insurance.

By Representatives Wright, Hackney, and Wainwright:

**H.B. 463**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY-BASED CLEAN SYRINGE -- SAFE SYRINGE EXCHANGE PROGRAMS, is referred to the Committee on Public Health.

By Representatives Wright, Hackney, and Wainwright:

**H.B. 464**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF HIV/AIDS, is referred to the Committee on Appropriations.

By Representative Brubaker:

**H.B. 465**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Brubaker:

**H.B. 466**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cox:

**H.B. 467**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cox:

**H.B. 468**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cox:

**H.B. 469**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 470**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PAMLICO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 471**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JONES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 472**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 473**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Wainwright:

**H.B. 474**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 79TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 475**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wainwright:

**H.B. 476**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CRAVEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gillespie:

**H.B. 477**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL FIREMEN'S RELIEF FUND OF THE CITY OF MARION, is referred to the Committee on Local Government I.

By Representatives Ellis, Allen, Allred, Arnold, Barbee, Barefoot, Barnhart, Blust, Bonner, Bowie, Buchanan, Cansler, Capps, Carpenter, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Eddins, Edwards, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Haire, Harrington, Hill, Hilton, Holmes, Howard, Hunter, Johnson, Justus, Kiser, McCombs, McMahan, Mitchell, Morris, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Wainwright, Walend, Walker, Warner, Warwick, Weatherly, West, C. Wilson, G. Wilson, Womble, and Yongue:

**H.B. 478**, A BILL TO BE ENTITLED AN ACT REQUIRING PUBLIC LIBRARIES AND SCHOOLS TO USE TECHNOLOGY AND TAKE OTHER EFFECTIVE MEASURES TO LIMIT ACCESS OF CHILDREN TO OBSCENE OR VIOLENT MATERIAL ON THE INTERNET, is referred to the Committee on Science and Technology.

By Representatives Gulley, Barbee, Barnhart, Blust, Capps, Carpenter, Church, J. Crawford, Culp, Dockham, Gillespie, Harrington, Hill, Hilton,

Johnson, Justus, Kiser, McMahan, Morris, Sherrill, Shubert, West, C. Wilson, and G. Wilson:

**H.B. 479**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ZERO-BASED BUDGETING, is referred to the Committee on Appropriations.

By Representatives Preston, Barbee, Bowie, Cansler, Capps, Daughtry, Davis, Dockham, Esposito, Johnson, Kiser, McCombs, Mitchell, Rayfield, Rogers, Sexton, Sherrill, Wainwright, Walend, Weatherly, and Yongue:

**H.B. 480**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PREKINDERGARTEN PROGRAM TO ENSURE THAT ALL CHILDREN HAVE AN OPPORTUNITY TO SUCCEED IN KINDERGARTEN, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Smith:

**H.J.R. 481**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LORINZO LITTLE JOYNER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**S.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, is read the first time and referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

### CALENDAR

Action is taken on the following:

**H.J.R. 139** (Committee Substitute), A JOINT RESOLUTION HONORING THE BUFFALO SOLDIERS OF THE FRONTIER.

On motion of Representative Womble, the House concurs in the Senate committee substitute joint resolution, which changes the title, by electronic vote (90-0), and the resolution is ordered enrolled.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 60**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GEORGE HENRY WHITE, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY, ON THE ONE HUNDREDTH ANNIVERSARY OF HIS HISTORIC FAREWELL SPEECH IN THE UNITED STATES CONGRESS, passes its second reading, by electronic vote (90-0) and there being no objection is read a third time.

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (91-0).

The resolution passes its third reading and is ordered sent to the Senate.

**H.B. 115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING BUSINESS TRANSACTIONS INVOLVING PUBLIC FUNDS.

On motion of Representative Baddour, and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 6.

### **INTRODUCTION OF PAGES**

Pages for the week of March 5 are introduced to the membership. They are: Jade Adams of Wake; Avery-Lynelle Atkinson of Wake; Heather Coley of Wake; Kirsten Davis of Franklin; Amber Diaz-Pellot of Robeson; Rene Donaldson of Wake; Kara Fink of Rowan; Lindsay Fisher of Wake; Myers Fuller of Dare; Lauren Hill of Davidson; Sheena Pankey of Robeson; Stenneth Powell, Jr. of Wake; Pervis Ross of Robeson; Ivy Smith of Wake; and Gervas Taylor of Dare.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from permanent subcommittee is presented:

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with

March 5, 2001

approval of Standing Committee Chairs for report to be made directly to the floor of the House.

**H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of March 6.

Representative Culpepper moves, seconded by Representative Easterling, that the House adjourn, subject to notices and announcements, to reconvene March 6 at 2:00 p.m.

The motion carries.

#### **ADDENDA TO COMMITTEE ASSIGNMENTS**

March 5, 2001

The Speaker makes the following committee assignments:

**FINANCE**: Add Representative C. Wilson.

**RULES, CALENDAR, AND OPERATIONS OF THE HOUSE**:  
Remove Representative Cunningham.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of the Chair and without objection, pursuant to Rule 36(b)(2), **H.B. 33**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF TWO PRESIDENTIAL ELECTORS AT LARGE AND ONE FROM EACH CONGRESSIONAL DISTRICT, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House stands adjourned at 8:11 p.m.

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## **TWENTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, March 6, 2001

March 6, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, You have called us to love our neighbor as ourselves. We confess that this is not an easy task. It is easy to discount the legitimacy of our neighbor because they are in some way different from us. Forgive our indifference to the cries of a hurting world. Forgive our blindness to the sight of Your wounded people. Forgive us our silence when a word of justice needs to be spoken.

"Come now, Holy Spirit, strengthen our hearts and encourage our spirits, that we might have the fortitude to speak the truth and act decisively for the cause of justice. Make us instruments of Your grace and ambassadors of Your righteousness. Use us to treat the wounds of oppression and heal the scars of injustice, so that peace and wholeness might pervade our land. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Boyd-McIntyre, Gibson, Hiatt, Johnson, Luebke, Rogers, Weiss, and Yongue for today.

### **ENROLLED BILLS**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 139**, A JOINT RESOLUTION HONORING THE MEMORY OF THE BUFFALO SOLDIERS OF THE FRONTIER. (RESOLUTION 2001-4)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 278**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TYRRELL COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 7.

**H.B. 290**, A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, AND TO POSTPONE THE EFFECTIVE DATE OF TAXATION BY THAT TOWN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Edwards:

**H.B. 482**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PITT COUNTY TO LEVY A ONE-CENT LOCAL SALES TAX FOR COUNTY AND MUNICIPALITY CAPITAL OUTLAY AND INFRASTRUCTURE IMPROVEMENTS, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 483**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 484**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 485**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 486**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 487**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BLADEN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

**H.B. 488**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 96TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Ellis:

**H.B. 489**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SWIFT CREEK, is referred to the Committee on Finance.

By Representatives Hensley and Blue:

**H.B. 490**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 10, is referred to the Committee on Appropriations.

By Representatives Hensley, Baddour, Blue, Nesbitt, and Redwine:

**H.B. 491**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A PILOT PROGRAM FOR

COMPUTER TRAINING OF DISTRICT COURT JUDGES, is referred to the Committee on Appropriations.

By Representatives Hensley and Blue:

**H.B. 492**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THREE ADDITIONAL DISTRICT COURT JUDGES IN DISTRICT 10, is referred to the Committee on Appropriations.

By Representatives Hensley, Blue, and Goodwin:

**H.B. 493**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR INDECENT EXPOSURE, is referred to the Committee on Judiciary III.

By Representatives Hensley and Blue:

**H.B. 494**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR UNLAWFULLY CARRYING A CONCEALED WEAPON, is referred to the Committee on Judiciary III.

By Representatives Hensley, Adams, Allen, Allred, Baddour, Barbee, Barefoot, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Edwards, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Haire, Hall, Harrington, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, McAllister, McComas, McCombs, McMahan, Michaux, Miner, Mitchell, Morris, Nye, Oldham, Owens, Preston, Rayfield, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue:

**H.B. 495**, A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, is referred to the Committee on Judiciary II.

By Representatives Davis and Cox:

**H.B. 496**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE WESTERN HARNETT SENIOR CENTER, is referred to the Committee on Appropriations.



**MESSAGE FROM THE SENATE**

The following is received from the Senate:

**S.B. 85** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO COLLABORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE, is read the first time and referred to the Committee on Economic Growth and Community Development.

**CALENDAR**

Action is taken on the following:

**H.B. 115** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING BUSINESS TRANSACTIONS INVOLVING PUBLIC FUNDS.

Representative Baddour offers Amendment No. 1 which is adopted by electronic vote (105-1).

The bill, as amended, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

Representative Cole requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (106-2).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**H.B. 41**, A BILL TO BE ENTITLED AN ACT TO ENACT THE UNIFORM TRANSFER ON DEATH (TOD) SECURITY REGISTRATION ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT

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MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### RE-REFERRAL

On motion of Representative Culpepper and without objection, pursuant to Rule 39.2, **H.B. 440**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA, is withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Easterling, the House adjourns at 2:28 p.m. to reconvene March 7 at 3:00 p.m.

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## TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, March 7, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious Lord, throughout history You have called individuals into the role of leadership. For the men and women of this Chamber, who have heard and responded to that call, I, indeed the citizenry of North Carolina, offer thanksgiving. For their constant quest for the good of the State, for their caring enough to become involved, and for their willingness to become public servants, we are most grateful. It is through their labors and sacrifice that our lives are made better.

"Bless now each of these representatives. Favor them with Your grace. As they face the difficult decisions, not so much between clearly delineated right and wrong, but between competing goods, grant wisdom. As they listen to the hurts and needs of others, hear and respond to their own

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personal needs. As they seek to improve the conditions of our State, bring healing and wholeness to their spirit. May they sense the deep satisfaction within their spirit that comes from fulfilling their calling and participating in Your will. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Gibson, Hiatt, Luebke, Redwine, Rogers, Weiss, and Yongue for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 198**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

By Representative Hill, Chair, for the Committee on Agriculture:

**H.B. 416**, A BILL TO BE ENTITLED AN ACT TO CREATE AN INCOME TAX CREDIT FOR TAXPAYERS INVESTING IN AGRIBUSINESS ENTERPRISES THAT ADD VALUE TO RAW, NORTH CAROLINA GROWN AGRICULTURAL COMMODITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Dockham and Hurley, Chairs, for the Committee on Insurance:

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE PENALTIES AND ENFORCEMENT PROVISIONS IN THE HMO LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 385**, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance.

The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 6**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b) the bill is re-referred to the Committee on Finance.

**H.B. 212**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES IN NEW HANOVER COUNTY 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.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NON-BETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance.

**H.B. 9**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM MUNICIPAL OCCUPANCY TAXES IN AVERY COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 77**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 150**, A BILL TO BE ENTITLED AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 286**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF COMMUNICABLE DISEASE REPORTING REQUIREMENTS TO ALL DIAGNOSTIC LABORATORIES, with a

favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **MESSAGE FROM THE SENATE**

The following is received from the Senate:

**S.B. 237**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Financial Institutions.

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

The following are introduced, read the first time and referred to committee:

By Representative Brubaker:

**H.B. 497**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 38TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

**H.B. 498**, A BILL TO BE ENTITLED AN ACT TO ADD TWO AT-LARGE MEMBERS TO THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, is referred to the Committee on Local Government I.

By Representative Gulley:

**H.B. 499**, A BILL TO BE ENTITLED AN ACT TO DIRECT LOCAL BOARDS OF EDUCATION TO REVIEW CERTAIN COURT ORDERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

**H.B. 500**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ELECTORAL SYSTEM FOR THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION TO CHANGE TERMS FROM FOUR YEARS TO TWO YEARS, TO ADD TWO AT-LARGE MEMBERS, AND TO PROVIDE FOR NONPARTISAN PRIMARY ELECTIONS, is referred to the Committee on Local Government I.

By Representative Gulley:

**H.B. 501**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM OF OFFICE OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FROM FOUR YEARS TO TWO YEARS, is referred to the Committee on Local Government I.

By Representative Gulley:

**H.B. 502**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MANNER OF ELECTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION SO AS TO PROVIDE FOR NONPARTISAN PRIMARY ELECTIONS, is referred to the Committee on Local Government I.

By Representative Gulley:

**H.B. 503**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

**H.B. 504**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MATTHEWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

**H.B. 505**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MINT HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye and Wainwright:

**H.B. 506**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES FOR GROUP HOMES FOR AUTISTIC PERSONS, is referred to the Committee on Appropriations.

By Representatives Nye, Barefoot, Bell, Jeffus, and Wainwright:

**H.B. 507**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE TEACCH PROGRAM TO PROVIDE SERVICES TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS, is referred to the Committee on Appropriations.

By Representatives Nye and Wainwright:

**H.B. 508**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADMINISTRATIVE OPERATIONS OF THE AUTISM SOCIETY OF NORTH CAROLINA TO SUPPORT SERVICES PROVIDED ON BEHALF OF THE STATE, is referred to the Committee on Appropriations.

By Representative Fitch:

**H.B. 509**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STOCKING OF ANIMALS BY CERTAIN PERSONS, is referred to the Committee on Wildlife Resources.

By Representatives Fitch and Wainwright:

**H.B. 510**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS AND SUBSTITUTE AN INCREASE IN THE RETIREMENT FORMULA AND THE ABILITY TO RETIRE AFTER TWENTY-FIVE YEARS, is referred to the Committee on Highway Safety and Law Enforcement and, if favorable, to the Committee on Pensions and Retirement.

By Representative Fitch:

**H.B. 511**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Buchanan:

**H.B. 512**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE POPLAR COMMUNITY BUILDING IN MITCHELL COUNTY, is referred to the Committee on Appropriations.

By Representative Buchanan:

**H.B. 513**, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL TAXPAYERS TO TAKE THE SAME INTEREST EXPENSE DEDUCTION CURRENTLY ALLOWED FOR BANKS, is referred to the Committee on Finance.

By Representatives Grady, Hensley, Russell, and Starnes:

**H.B. 514**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE RECORDINGS OF ALL CLOSED MEETINGS, is referred to the Committee on Judiciary I.

By Representatives Earle, Alexander, Allen, Barefoot, Bell, Blue, Bonner, Cansler, Church, Fox, Goodwin, Hall, Hensley, Hill, Hurley, Insko, Jarrell, Jeffus, Lucas, McLawhorn, Michaux, Morris, Oldham, Owens, Teague, Tolson, Wainwright, Walker, Weatherly, and Womble:

**H.B. 515**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS, is referred to the Committee on Appropriations.

By Representatives Pope, Blue, Capps, Eddins, Ellis, and Miner:

**H.B. 516**, A BILL TO BE ENTITLED AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney:

**H.B. 517**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney:

**H.B. 518**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney:

**H.B. 519**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 24TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR

Action is taken on the following:

**H.B. 278**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE TYRRELL COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 183** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES AND EMERGENCY SUPERIOR COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, is withdrawn from the Calendar and placed on the Calendar of March 12.

### INTRODUCTION OF PAGES

The Speaker introduces Eric Stewart and Dave Shearing, who are honorary pages from Charlotte. They are serving as pages from the ARC in recognition of Mental Retardation Awareness Month.

On motion of Representative Culpepper, seconded by Representative Johnson, the House adjourns at 3:25 p.m. to reconvene March 8 at 10:00 a.m.

## TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, March 8, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, You are the wellspring of living water. You offer us the waters of forgiveness that washes away our guilt. You are the fountain of redemption which cleanses our thoughts and purifies our minds. Come now and let Your Spirit rain upon our lives. Nourish the parched places of our souls that thirst for Your presence. Let the river of Your love course through our life, that we might become an oasis of joy and peace in this dry and dusty world. Use us to bring refreshment to other weary travelers along the road of existence. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Davis, Gibson, Haire, Hiatt, Rogers, and Yongue for today.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 29, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT PRIVATE ENCROACHMENT ON THE HIGHWAY RIGHT-OF-WAY OF NC 132 IN NEW HANOVER COUNTY FOR CONSTRUCTION OF A CORNING ACCESS BRIDGE. (S.L. 2001-1)**

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

March 8, 2001

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 107**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO ADJUST THE FEE ON PRIVATE MOTORCYCLE REGISTRATIONS IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE MOTORCYCLE SAFETY PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hunter and Boyd-McIntyre, Chairs, for the Committee on Children, Youth and Families:

**H.B. 241**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A FAMILY DRUG TREATMENT COURT PROGRAM IN NORTH CAROLINA AND TO FUND THE PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 18**, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 12. The original bill is placed on the Unfavorable Calendar.

**H.B. 108**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHEROKEE, GRAHAM, HAYWOOD, JACKSON, MADISON, AND SWAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING

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PROPERTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representative Hurley:

**H.B. 520**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hurley:

**H.B. 521**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF FAYETTEVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hurley:

**H.B. 522**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Russell:

**H.B. 523**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Russell:

**H.B. 524**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF LENOIR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell and Preston:

**H.B. 525**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REMOVE THE CAP ON FUNDING FOR CHILDREN WITH

SPECIAL NEEDS IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representatives Hilton, Allred, Arnold, Barbee, Barnhart, Blust, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Harrington, Hill, Holmes, Howard, Hurley, Johnson, Justus, Kiser, McCombs, McMahan, Mitchell, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, Walker, Warner, Weatherly, West, C. Wilson, G. Wilson, and Yongue:

**H.B. 526**, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES PERTAINING TO PARENTAL CONSENT FOR A MINOR TO OBTAIN AN ABORTION, is referred to the Committee on Judiciary I.

By Representative Hilton:

**H.B. 527**, A BILL TO BE ENTITLED AN ACT RELATING TO GASTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hilton:

**H.B. 528**, A BILL TO BE ENTITLED AN ACT RELATING TO CATAWBA COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hilton:

**H.B. 529**, A BILL TO BE ENTITLED AN ACT RELATING TO LINCOLN COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

**H.B. 530**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGE IN DISTRICT 24, is referred to the Committee on Appropriations.

By Representative Edwards:

**H.B. 531**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF TRAWL NETS TO TAKE FISH IN CERTAIN RIVER SYSTEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.B. 532**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A JOINT TICKET IN THE GENERAL ELECTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.B. 533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FUQUAY-VARINA TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government I.

By Representative Ellis:

**H.B. 534**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF KNIGHTDALE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government I.

By Representative Ellis:

**H.B. 535**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF GARNER TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Local Government I.

By Representative Ellis:

**H.B. 536**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL MUNICIPALITIES IN THE STATE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Judiciary II.

By Representative Culp:

**H.B. 537**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NATURAL RESOURCES LEADERSHIP INSTITUTE, A

PROJECT OF THE NORTH CAROLINA COOPERATIVE EXTENSION SERVICE, is referred to the Committee on Appropriations.

By Representatives Hurley, Lucas, and Warner:

**H.B. 538**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McCombs:

**H.B. 539**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 83RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McCombs:

**H.B. 540**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 83RD HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Easterling, Alexander, Cansler, Jeffus, Luebke, Michaux, Weiss, and West:

**H.B. 541**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FULLY FUND THE GRASSROOTS SCIENCE MUSEUM COLLABORATIVE TO ENHANCE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION, is referred to the Committee on Appropriations.

By Representatives Oldham, Alexander, and Goodwin:

**H.R. 542**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on University Board of Governors Nominating.

By Representative Setzer:

**H.B. 543**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF TROUTMAN TO PARTICIPATE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM WITHOUT



PROVIDING PRIOR SERVICE CREDITS TO ITS EMPLOYEES, is referred to the Committee on Local Government I.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**S.B. 138**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE MOUNT AIRY TOURISM DEVELOPMENT AUTHORITY, is read the first time and referred to the Committee on Local Government II.

On motion of Representative Culpepper, seconded by Representative Underhill, the House adjourns at 10:09 a.m. to reconvene Monday, March 12, 2001, at 7:00 p.m.

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## TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Monday, March 12, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Walk with us, O God, as we maneuver through the days ahead that we might persevere in all that is good. If our vision of what is just grows dim, shine forth the light of Your truth. If we grow weary in our pursuit of holiness, strengthen our steps and press us onward. If we feel alone as we seek to do Your will, reveal Your presence at our side. In Your mercy, may we sense Your help in our labors and Your blessing upon our endeavors. Amen."

The Speaker Pro Tempore leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Brubaker, Church, Cole, Esposito, Hiatt, Holmes, McAllister, and Preston for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Barefoot, Chair, for the Committee on Cultural Resources:

**H.B. 92**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representatives Wainwright and Underhill:

**H.B. 544**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CRAVEN COUNTY COUNCIL ON WOMEN FOR OPERATING EXPENSES, is referred to the Committee on Appropriations.

By Representatives Blust, Jarrell, Jeffus, Johnson, and Morris:

**H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, is referred to the Committee on Education.

By Representatives Insko, Hackney, and Warwick:

**H.B. 546**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT CLUB NOVA, A MENTAL HEALTH FACILITY IN THE TOWN OF CARRBORO, is referred to the Committee on Appropriations.

By Representatives Arnold, Adams, Cansler, Culp, Daughtry, Davis, Dockham, Harrington, Hurley, Mitchell, Morris, Preston, Rayfield, Russell, Sexton, Smith, and Walend:

**H.B. 547**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING POSTRETIREMENT EARNINGS BY RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Fitch, Insko, McAllister, and Michaux:

**H.B. 548**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, is referred to the Committee on Judiciary III.

By Representatives Tucker, Barbee, Culp, Haire, and Holliman:

**H.B. 549**, A BILL TO BE ENTITLED AN ACT TO ALLOW A COUNTY OR A COUNTY AND A CITY TO SHARE IN THE DISTRIBUTION OF BEER AND WINE TAX PROCEEDS IF SALES OF THE BEVERAGES ARE AUTHORIZED ONLY IN A RESIDENTIAL PRIVATE CLUB, SPORTS CLUB, OR CERTAIN INTERSTATE LOCATIONS WITHIN THE CITY OR COUNTY, is referred to the Committee on Alcoholic Beverage Control.

By Representative Grady:

**H.B. 550**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Grady:

**H.B. 551**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF JACKSONVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Allen, Bowie, Buchanan, Cox, Gulley, Haire, Justus, McComas, Nye, Owens, Rayfield, Sherrill, Smith, Warner, and Warwick:

**H.B. 552**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONAL TWO-YEAR LICENSE PLATES, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Allred, Goodwin, and Gulley:

**H.B. 553**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

By Representatives Allred, Goodwin, and Gulley:

**H.B. 554**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF THE ARMED FORCES OF THE UNITED STATES, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

By Representative J. Crawford:

**H.B. 555**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE, is referred to the Committee on Local Government II.

By Representatives Holliman and Dockham:

**H.B. 556**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LEXINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, is referred to the Committee on Finance.

By Representative Thompson:

**H.B. 557**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BEECH MOUNTAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Redwine:

**H.B. 558**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REAL ESTATE COMMISSION TO PERMIT REAL ESTATE BROKERS TO PAY TRAVEL AGENTS FOR PROCURING POTENTIAL TENANTS IN VACATION RENTAL TRANSACTIONS, is referred to the Committee on Ways and Means.

By Representatives Dedmon, Clary, and Weatherly:

**H.B. 559**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTIES OF RUTHERFORD AND POLK, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dedmon, Clary, and Weatherly:

**H.B. 560**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CLEVELAND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McCombs:

**H.B. 561**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McCombs:

**H.B. 562**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROWAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, Barefoot, Cox, Insko, Jarrell, Luebke, Russell, Wainwright, and Weiss:

**H.B. 563**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MAXIMIZE FEDERAL FUNDS TO SERVE ADDITIONAL CHILDREN UNDER THE HEALTH INSURANCE PROGRAM FOR CHILDREN (NC HEALTH CHOICE), is referred to the Committee on Appropriations.

By Representative Capps:

**H.B. 564**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT HEADLAMPS BE ILLUMINATED WHENEVER MOTOR VEHICLE IS OPERATED, is referred to the Committee on Judiciary III.

By Representatives Alexander and Goodwin:

**H.B. 565**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE STATE BOARD OF ELECTIONS FROM THE ADMINISTRATIVE PROCEDURE ACT, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Earle, Edwards, and Wright (Primary Sponsors); Barefoot, Cox, Goodwin, Insko, Jarrell, Luebke, Russell, Sherrill, Wainwright, and Weiss:

**H.B. 566**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MATCH FEDERAL FUNDS TO PROVIDE FULL MEDIC-AID COVERAGE TO ELIGIBLE WOMEN DETERMINED TO NEED TREATMENT FOR BREAST CANCER OR CERVICAL CANCER, is referred to the Committee on Appropriations.

By Representative Ellis:

**H.B. 567**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Judiciary II.

By Representative Ellis:

**H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS PROTECT THE RIGHTS OF STUDENTS AND THEIR FAMILIES, is referred to the Committee on Education.

By Representatives Ellis and Miner (Primary Sponsors):

**H.B. 569**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA, is referred to the Committee on Finance.

By Representatives Allen, Arnold, Buchanan, J. Crawford, Edwards, Fox, Gillespie, Kiser, Mitchell, and Sexton:

**H.B. 570**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE AMENDMENTS TO THE ADMINISTRATIVE RULE ENTITLED "TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY," is referred to the Committee on Environment and Natural Resources.

By Representatives Allen, Hackney, Luebke, Pope, and Wainwright:

**H.B. 571**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Finance.

By Representative Luebke:

**H.B. 572**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SALES AND USE TAX RATE ON WHITE GOODS TO THE SAME RATE AS ON INDUSTRIAL MACHINERY, is referred to the Committee on Finance.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is read the first time and referred to the Committee on Judiciary III.

**S.B. 217**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE, is read the first time and referred to the Committee on Public Utilities.

### ENROLLED BILLS

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

March 12, 2001

**H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES. (RESOLUTION 2001-5)

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN AND CATAWBA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Coates, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Adams, Brubaker, Church, Cole, Esposito, Fitch, Hiatt, Holmes, McAllister and Preston - 10.

Representative Edwards requests and is granted permission to be recorded as voting aye. The adjusted vote total is (103-0).

**H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NASH COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.



Representative Tucker offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (104-0). The caption having been amended, the bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 212**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MUNICIPALITIES IN NEW HANOVER COUNTY TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Redwine and without objection, **H.B. 183** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES AND EMERGENCY SUPERIOR COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

### **INTRODUCTION OF PAGES**

Pages for the week of March 12 are introduced to the membership. They are: William Crawley of Lee; Jacob Evans of Wake; Alta Hannen of Transylvania; Latoya Hinton of Wake; Jamie Ryan Lanier of Onslow; Krystle Medlin of Johnston; Matthew Oettinger of Nash; Aaron Paschal of Wake; Rafael Penn of Mecklenburg; Guy Scronce of Catawba; Megan Lynn Stallings of Perquimans; Kevin Stewart of Richmond; and James Todd of Richmond.

Special Recognition - National Girl Scout Week: Lauren Capps of Wayne; Lindsey Jordan of Guilford; Carole Ann Morrison of Cleveland; Dawnelle Pierce of Wayne; Shannon Sexton of Granville; Sarah Sharpe of Alamance; and Shannon Stancil of Wake.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 423**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, is withdrawn from the Committee on Highway Safety and Law Enforcement and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 425**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS ON STOPS MADE BY CERTAIN LOCAL LAW ENFORCEMENT AGENCIES, is withdrawn from the Committee on Highway Safety and Law Enforcement and re-referred to the Committee on Judiciary III.

On motion of Representative Culpepper, seconded by Representative Cunningham, the House adjourns at 7:37 p.m. to reconvene March 13 at 3:00 p.m.

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**TWENTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, March 13, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Ever-present God, our prayers to You are but a response to Your constant and abundant love for us. When we are anxious, You are there to calm our fears. When we are grieving, You are there to surround us with Your gentle presence. When we have hurt others or hurt ourselves, You are there to say, 'You are forgiven, my child. Begin again.' When we face difficult choices, You are there to guide, uphold, and strengthen us. And so, Gracious God, we place before You our fragmented, harried and broken lives that You might help us catch glimpses of beauty and joy. Share with us Your healing and sustaining grace. Touch our lives and renew our

March 13, 2001

spirits. Help us to experience the wholeness You so generously offer. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Black; Representatives Esposito and Hunter for today. Representative Preston is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 78**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 14.

**H.B. 493**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR INDECENT EXPOSURE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 163** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 376**, A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with a favorable report as to committee substitute joint resolution, unfavorable as to original joint resolution.

Pursuant to Rule 36(b), the committee substitute joint resolution is placed on the Calendar. The original joint resolution is placed on the Unfavorable Calendar.

By Representative Smith, Chair, for the Committee on Public Utilities:

**H.J.R. 481**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LORINZO LITTLE JOYNER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the joint resolution is placed on the Calendar.

By Representative Blue, Vice Chair, for the Committee on Judiciary I:

**H.B. 342**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ADMISSIBILITY, PHOTOGRAPHIC REPRODUCTION, AND RETENTION OF RECORDS OF THE EMPLOYMENT SECURITY COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 14.

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 14.

### **SUBCOMMITTEE REFERRAL**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bill to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

**H.B. 217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE.

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

The following are introduced, read the first time and referred to committee:

By Representatives Allred, Adams, Capps, Johnson, Justus, McAllister, and Warner:

**H.B. 573**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR NOTARIZATION OF CAMPAIGN REPORTS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Hill, Alexander, Barbee, Buchanan, Cox, Hurley, Kiser, Smith, Teague, Tolson, Wainwright, Warwick, and G. Wilson:

**H.B. 574**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER, is referred to the Committee on Appropriations.

By Representative Hill:

**H.B. 575**, A BILL TO BE ENTITLED AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF, is referred to the Committee on Finance.

By Representatives Hackney and Insko:

**H.B. 576**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, is referred to the Committee on Judiciary I.

By Representative Tolson:

**H.B. 577**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 578**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PITT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 579**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 580**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 581**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGECOMBE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 582**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 583**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 584**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF EDGECOMBE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Wainwright, and Russell (Primary Sponsors):

**H.B. 585**, A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES, is referred to the Committee on Public Utilities.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 202**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 204**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998 AND TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND BY ONE YEAR TO OCTOBER 1, 2002, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 205** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, is read the first time and referred to the Committee on Environment and Natural Resources.

### CALENDAR

Action is taken on the following:

**H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN AND CATAWBA.

Representative Sutton offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cole, Cox, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representatives Davis and Ellis - 2.

Excused absences: Speaker Black; Representatives Esposito, Hunter, and Preston - 4.

Representative Hiatt requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-2).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 9** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM MUNICIPAL OCCUPANCY TAXES IN AVERY COUNTY.

Representative Buchanan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Carpenter, Church, Coates, Cole, Cox, Culp, Culpepper, Cunningham,



Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives Allred, Capps, and Pope - 3.

Excused absences: Speaker Black; Representatives Esposito and Hunter - 3.

**H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND DUPLIN COUNTIES TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

The bill, as amended, passes its third reading by electronic vote (114-0), and is ordered engrossed and sent to the Senate.

**H.B. 286** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF DISEASE REPORTING AND INVESTIGATION REQUIREMENTS TO ALL DIAGNOSTIC LABORATORIES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 150** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER.

On motion of Representative Allen and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 168** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE PENALTIES AND ENFORCEMENT PROVISIONS IN THE HMO LAWS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 245**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AN INSTRUMENT FOR ASSESSING THE QUALITY OF CARE PROVIDED BY ADULT CARE HOMES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 329**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRANSPORTATION SERVICES OFFERED BY ADULT DAY CARE PROGRAMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 14.

### **VOTE STRICKEN**

The Chair states that Amendment No. 1 for **H.B. 77**, (Committee Substitute) AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, AND CATAWBA, is held to be material. The Chair directs that the prior votes taken on second reading and Amendment No. 1 be stricken. The bill is before the Body with Amendment No. 1 pending.

Amendment No. 1, which is ruled to be material thus constituting its first reading, is adopted by the following vote. The amendment changes the title.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cole, Cox, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: Representatives Davis and Ellis - 2.

Excused absences: Speaker Black; Representatives Esposito and Hunter - 3.

The bill, as amended, remains on the Calendar for its second roll call reading.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Allen and without objection, **H.B. 150** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER, is withdrawn from the Calendar and placed on the Calendar of March 14.

On motion of Representative Culpepper, seconded by Representative Easterling, the House adjourns at 3:39 p.m. to reconvene March 14 at 3:00 p.m.

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## **TWENTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, March 14, 2001

March 14, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, we pause now to stand in Your presence. We come seeking an audience with the Living God. We come not simply for answers to the questions of our soul, but simply to claim the relationship You have offered to us. O God, may the moments we spend in this posture be more than simply a time to catch our breath, or a short break in our hectic schedules. Indeed, if there is anything perfunctory about our attitudes in these sacred moments of prayer, erase those motives from us. In the power that derives from Your being, in the wholeness that comes from Your Spirit, in the acceptance that emanates from Your presence, teach us that even a minute or two of silence, reflection, and petition in Your presence is better than a lifetime in Your absence. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Black; Representatives Esposito, Hunter, Jarrell, and Pope for today.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 168**, AN ACT TO UPDATE THE PENALTIES AND ENFORCEMENT PROVISIONS IN THE HMO LAWS.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 47**, AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 193**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY CARE AND/OR COMMUNITY BENEFITS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Morris and Cole, Chairs, for the Committee on Economic Growth and Community Development:

**H.B. 180**, A BILL TO BE ENTITLED AN ACT TO MAKE MORE MUNICIPALITIES ELIGIBLE FOR DEVELOPMENT ZONES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

**S.B. 85**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO CORROBORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Oldham, Chair, for the Committee on University Board of Governors Nominating:

**H.R. 542**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 306**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 14.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 147**, A BILL TO BE ENTITLED AN ACT TO RAISE THE CAP ON THE AMOUNT OF FUNDS THAT MAY BE USED TO ADMINISTER THE FISHERIES RESOURCE GRANT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**H.B. 148**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 15.

**H.B. 149**, A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 15. The original bill is placed on the Unfavorable Calendar.

**H.B. 189**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES

March 14, 2001

REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998 AND TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND BY ONE YEAR TO OCTOBER 1, 2002, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 15.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 195**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A YEARLONG COURSE OF INSTRUCTION ON NORTH CAROLINA HISTORY AND GEOGRAPHY TO ALL FOURTH- AND EIGHTH-GRADE STUDENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 386**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Saunders and Tolson, Chairs, for the Committee on Science and Technology:

**H.B. 331**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL PUBLIC MEMBERS OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Insko, Chair, for the Committee on Aging:

**H.B. 322**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW

OPTIONS UNDER FEDERAL LAW FOR INCREASING MEDICAID MEDICALLY NEEDY INCOME LIMITS, with a favorable report.

Pursuant to Rule 32(a), the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 348**, A BILL TO BE ENTITLED AN ACT TO REPEAL MISCELLANEOUS FEES PAID BY INSURANCE COMPANIES TO THE DEPARTMENT OF INSURANCE; AND TO INCREASE THE INSURANCE COMPANY LICENSE APPLICATION AND RENEWAL FEES TO MAKE THE REPEALS REVENUE NEUTRAL, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

**H.B. 352**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE IN THE RISK SHARING PLAN LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 357**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### GUEST

The Speaker Pro Tempore directs Representatives Edwards, McLawhorn, Warren, and Rogers to escort Mrs. Laura Bilbro Berry, North Carolina Teacher of the Year, to the Well of the House where she makes brief remarks.



**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Alexander, Earle, Easterling, McMahan, Saunders, and C. Wilson:

**H.B. 586**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY OF CHARLOTTE'S AREAS OF SPHERE OF INFLUENCE, is referred to the Committee on Local Government I.

By Representatives Alexander, Earle, Easterling, Gulley, Harrington, McMahan, Rayfield, Saunders, and C. Wilson:

**H.B. 587**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO MAKE ROADWAY IMPROVEMENTS IN THE CITY'S EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Local Government I.

By Representatives Alexander, Earle, Easterling, Gulley, McMahan, Rayfield, Saunders, and C. Wilson:

**H.B. 588**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS, is referred to the Committee on Local Government I.

By Representatives Alexander, Earle, Easterling, Gulley, Harrington, McMahan, Saunders, and C. Wilson:

**H.B. 589**, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE, is referred to the Committee on Local Government I.

By Representatives Alexander, Culp, Davis, Earle, Easterling, Gulley, McMahan, Rayfield, and Saunders:

**H.B. 590**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, is referred to the Committee on Local Government I.

By Representatives Alexander, Earle, Easterling, Gulley, Harrington, McMahan, Rayfield, Saunders, and C. Wilson:

**H.B. 591**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE, is referred to the Committee on Local Government I.

By Representatives Alexander, Cox, Jeffus, Luebke, Saunders, Wainwright, Warren, and Weiss:

**H.B. 592**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ACTIVITIES OF THE COUNCIL ON DEVELOPMENTAL DISABILITIES, is referred to the Committee on Appropriations.

By Representatives Alexander, Coates, Holliman, Insko, Luebke, Saunders, Underhill, and Wainwright:

**H.B. 593**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS, is referred to the Committee on Insurance.

By Representatives Alexander, Coates, Insko, Lucas, Luebke, Saunders, Sexton, Underhill, Wainwright, Warren, and Weiss:

**H.B. 594**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE NUMBER OF COMMUNITY-BASED PHARMACEUTICAL ASSISTANCE PROGRAMS FOR LOW-INCOME ELDERLY PERSONS IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Decker:

**H.B. 595**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Decker:

**H.B. 596**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 84TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Alexander, Cunningham, Earle, Easterling, Harrington, and C. Wilson:

**H.B. 597**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Alexander, Earle, Easterling, Harrington, Rayfield, and C. Wilson:

**H.B. 598**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO CONTRACT WITH PRIVATE INDIVIDUALS TO PERFORM BUILDING INSPECTIONS, is referred to the Committee on Ways and Means.

By Representatives Michaux, Church, Dockham, Earle, Fitch, Gibson, Hurley, McAllister, McLawhorn, McMahan, Smith, Wainwright, Womble, and Wright:

**H.B. 599**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, is referred to the Committee on Financial Institutions.

By Representatives Brubaker, Culp, and Shubert:

**H.B. 600**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AT ANY PERMANENT DRIVERS LICENSE OFFICE WITH THREE OR MORE EXAMINERS, ONE SHALL TAKE APPOINTMENTS FOR DRIVERS LICENSE RENEWALS FOR COUNTY RESIDENTS, is referred to the Committee on Transportation.

By Representatives Brubaker, Culp, and Sexton:

**H.B. 601**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY OF SUBSTANDARD SUBDIVISION ROADS WITH A DETERMINATION OF THE COST FOR THE DEPARTMENT OF TRANSPORTATION TO MINIMALLY UPGRADE AND MAINTAIN THOSE ROADS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Dockham, Blust, Holliman, and Howard:

**H.B. 602**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, is referred to the Committee on Finance.

By Representatives Fitch and Tolson:

**H.J.R. 603**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ESSIE RUTH COOPER RICHARDSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

**H.B. 604**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Walend:

**H.B. 605**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

**H.B. 606**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF TRANSYLVANIA AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walend, Cansler, Carpenter, Davis, Gillespie, Kiser, and Setzer:

**H.B. 607**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF CITY AND COUNTY BOARDS AND COMMISSIONS MUST BE CITIZENS OF THE UNITED STATES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

**H.B. 608**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES, is referred to the Committee on Education.

By Representatives Walend, Harrington, Mitchell, and Sexton:

**H.B. 609**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE AMENDMENTS TO THE ADMINISTRATIVE RULE ENTITLED "STANDARDS OF CONSTRUCTION: WATER-SUPPLY WELLS" ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walend and Davis:

**H.B. 610**, A BILL TO BE ENTITLED AN ACT TO COMPENSATE COUNTIES FOR THE COSTS OF STATE RECREATION LANDS, is referred to the Committee on Appropriations.

By Representative Thompson:

**H.B. 611**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF BEECH MOUNTAIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pope and Capps:

**H.B. 612**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF CERTAIN WATERS IN THE NEUSE RIVER BASIN BELOW FALLS LAKE DAM THAT WOULD HAVE THE EFFECT OF ALLOWING THE TOWN OF WAKE FOREST TO WITHDRAW ADDITIONAL WATER FROM THE NEUSE RIVER, is referred to the Committee on Environment and Natural Resources.

By Representative Saunders:

**H.B. 613**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

**H.B. 614**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

**H.B. 615**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Smith:

**H.B. 616**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF ATLANTIC BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

**H.B. 617**, A BILL TO BE ENTITLED AN ACT TO FREEZE THE PORTION OF THE HIGHWAY TRUST FUND APPROPRIATED FOR OUTER LOOPS AND TO REDIRECT THOSE FUNDS TO HIGHWAY MAINTENANCE AND PUBLIC TRANSPORTATION, is referred to the Committee on Transportation.

By Representatives Adams and Jeffus:

**H.B. 618**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MUNICIPALITIES WITH ADDITIONAL AUTHORITY TO REGULATE AND CONTROL DRIVERS AND OPERATORS OF TAXICABS OPERATING BETWEEN CITIES OR TOWNS AND TO THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, is referred to the Committee on Local Government II.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**S.B. 255** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, is read the first time and referred to the Committee on Local Government I.

### CALENDAR

Action is taken on the following:

**H.B. 9** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM MUNICIPAL OCCUPANCY TAXES IN AVERY COUNTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representative Allred.

Excused absences: Speaker Black; Representatives Esposito, Hunter, Jarrell, and Pope - 5.

**H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, AND CATAWBA.

Representative J. Crawford offers Amendment No. 2, which is ruled to be material, thus constituting its first reading.

The amendment, which changes the title, is adopted by the following vote. The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representative Davis.

Excused absences: Speaker Black; Representatives Esposito, Hunter, Jarrell, and Pope - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CHEROKEE, CURRITUCK, GRAHAM, HAYWOOD, JACKSON, MADISON, PASQUOTANK, PERQUIMANS,



AND SWAIN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Representative Fox offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (111-3). The caption having been amended, the bill remains on the Calendar.

**H.B. 78**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS, passes its second reading by electronic vote (111-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 150** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER, passes its second reading by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 329**, A BILL TO BE ENTITLED AN ACT PERTAINING TO TRANSPORTATION SERVICES OFFERED BY ADULT DAY CARE PROGRAMS, passes its second reading by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 342**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ADMISSIBILITY, PHOTOGRAPHIC REPRODUCTION, AND RETENTION OF RECORDS OF THE EMPLOYMENT SECURITY COMMISSION, passes its second reading by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE

EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF  
NORTH CAROLINA.

On motion of Representative Redwine and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 15.

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 162**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO ESTABLISH THE RATES FOR REIMBURSEMENT FOR ADULT DAY SERVICES FROM THE HOME AND COMMUNITY CARE BLOCK GRANT FUND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Culpepper, seconded by Representative Wright, the House adjourns at 3:54 p.m. to reconvene March 15 at 12:00 Noon.

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**THIRTIETH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, March 15, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we come to You to seek a greater knowledge of who You are and who You call us to be. We come to find a purpose for our existence and a motivation for our love...inspire us. We come to You to acknowledge the sins and failures of the week...forgive us. We have come to be made new in Your love...recreate us. Come, O Lord, be a part of our lives, that

March 15, 2001

we might be a part of Your life and know the peace and joy which is eternal life. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Speaker Black; Representatives Culp, Esposito, Hall, Hiatt, Howard, and Hunter for today.

### **CHAPTERED BILL**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 47**, AN ACT AUTHORIZING THE TOWN OF FAIRMONT TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE. (S.L. 2001-2)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Insko, Chair, for the Committee on Aging:

**H.B. 161**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE DESIGNATION OF A LEAD AGENCY FOR LONG-TERM CARE PLANNING, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 227**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A WORLD WAR II

SPECIAL REGISTRATION PLATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

**S.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH CAROLINA INTERNSHIP COUNCIL, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Warner, Buchanan and Bonner (Primary Sponsors); Allen, Allred, Barefoot, Bell, Capps, Cole, Cunningham, Davis, Dedmon, Fox, Gibson, Hurley, Insko, Jeffus, Lucas, McAllister, Morris, Sexton, Sherrill, Smith, Sutton, Wainwright, and Womble:

**H.B. 619**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SALARY SCHEDULE FOR TEACHER ASSISTANTS, is referred to the Committee on Appropriations.

By Representatives Warner and Bonner (Primary Sponsors); Allen, Allred, Barefoot, Cunningham, Dedmon, Gibson, Hurley, Jeffus, Lucas, McAllister, Smith, Sutton, Wainwright, and Womble:

**H.B. 620**, A BILL TO BE ENTITLED AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF

RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL, is referred to the Committee on Education.

By Representatives Weiss and Miner:

**H.B. 621**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CARY LOCAL FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Sexton, Allen, Allred, Arnold, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Cansler, Capps, Carpenter, Clary, Cole, Cox, J. Crawford, Creech, Culp, Davis, Decker, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Haire, Harrington, Hill, Hilton, Howard, Hurley, Jarrell, Johnson, Justus, Kiser, Lucas, McComas, McCombs, McMahan, Miner, Mitchell, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Russell, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warwick, Weatherly, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue:

**H.B. 622**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE, is referred to the Committee on Judiciary III.

By Representatives McMahan, Arnold, Baddour, Bowie, Daughtry, Dockham, Holmes, Johnson, McCombs, Morris, Owens, and Pope:

**H.B. 623**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE ALTERNATIVE CONTRACTING METHODS FOR PUBLIC CONTRACTS BY A

MAJORITY VOTE OF ITS MEMBERS, is referred to the Committee on State Government.

By Representatives Fox, Alexander, Allen, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Coates, Cole, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Gibson, Goodwin, Haire, Hall, Hill, Hurley, Insko, Jarrell, Jeffus, Luebke, McAllister, McLawhorn, Michaux, Miller, Morris, Oldham, Owens, Rogers, Russell, Saunders, Smith, Sutton, Teague, Tolson, Wainwright, Warner, Warren, Warwick, Weatherly, Weiss, Womble, Wright, and Yongue:

**H.B. 624**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL ACCOUNTABILITY MODEL TO TAKE INTO ACCOUNT A CLOSING THE GAP COMPONENT, TO DIRECT SCHOOL SYSTEMS TO IDENTIFY STUDENTS WHO HAVE BEEN PLACED AT RISK OF ACADEMIC SCHOOL FAILURE AND IMPLEMENT PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT GUIDELINES FOR SCHOOL SYSTEMS TO ESTABLISH LOCAL TASK FORCES ON CLOSING THE ACHIEVEMENT GAP, TO REQUIRE PRINCIPALS TO CONSIDER INFORMATION IN ADDITION TO STATE TEST RESULTS WHEN MAKING STUDENT PROMOTION DECISIONS, TO DIRECT THE STATE BOARD OF EDUCATION TO INCLUDE CULTURALLY DIVERSE OBJECTIVES AND ACTIVITIES AS PART OF ITS CURRICULUM REVISIONS, TO REQUIRE THE EMPLOYMENT OF TEACHERS OR INSTRUCTIONAL SUPPORT PERSONNEL WHO SPEAK THE LANGUAGE OF NON-ENGLISH-SPEAKING STUDENTS WHEN THERE IS A SUBSTANTIAL POPULATION OF THOSE STUDENTS IN A SCHOOL, TO MAKE PERMANENT THE COMMISSION ON IMPROVING THE ACADEMIC ACHIEVEMENT OF MINORITY AND AT-RISK STUDENTS, TO DIRECT THE STATE BOARD OF EDUCATION TO REPORT IN A DISAGGREGATED MANNER DROPOUT RATES, SUSPENSIONS, EXPULSIONS, AND ALTERNATIVE PLACEMENTS, AND TO APPROPRIATE FUNDS, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative Harrington:

**H.B. 625**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GASTONIA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Harrington:

**H.B. 626**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GASTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, Barbee, Bell, Bowie, Boyd-McIntyre, Cole, Easterling, Fox, Insko, Jeffus, Luebke, Smith, Wainwright, Walend, and Weiss:

**H.B. 627**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE INTENSIVE HOME VISITING INITIATIVE, is referred to the Committee on Appropriations.

By Representative Alexander:

**H.B. 628**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Alexander:

**H.B. 629**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Coates:

**H.B. 630**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 35TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Setzer, Barnhart, Capps, Eddins, Gibson, Johnson, Kiser, McCombs, Mitchell, Starnes, Teague, and Walend:

**H.B. 631**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT A PUBLIC RECORD, is referred to the Committee on Judiciary I.

By Representative Bonner:

**H.B. 632**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF MAXTON WITH ITS DOWN-

TOWN REVITALIZATION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Dockham and Culp:

**H.B. 633**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, is referred to the Committee on Finance.

By Representative Michaux:

**H.B. 634**, A BILL TO BE ENTITLED AN ACT TO AMEND THE INVESTMENT AND BANKING LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell, Capps, and Setzer:

**H.B. 635**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, is referred to the Committee on Finance.

By Representative Owens:

**H.B. 636**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ELIZABETH CITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative J. Crawford:

**H.B. 637**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE FORMULA FOR CALCULATING THE MOTOR FUEL EXCISE TAX RATE, is referred to the Committee on Finance.

By Representative McLawhorn:

**H.B. 638**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative McLawhorn:

**H.B. 639**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McLawhorn:

**H.B. 640**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McLawhorn:

**H.B. 641**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 9TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

**H.B. 642**, A BILL TO BE ENTITLED AN ACT CONCERNING THE TRANSPORTATION POLICY OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hackney, Alexander, Insko, Jarrell, Jeffus, McLawhorn, Underhill, Warren, and Weiss:

**H.B. 643**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH SEXUAL ASSAULT COUNSELORS, RAPE CRISIS CENTERS, AND DOMESTIC VIOLENCE PROGRAMS, is referred to the Committee on Judiciary I.

By Representatives J. Crawford, Bowie, and Cole:

**H.B. 644**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY, is referred to the Committee on Transportation.

By Representatives Capps, Arnold, Blust, Daughtry, Davis, Decker, Eddins, Ellis, Justus, Morris, Setzer, Sexton, Shubert, and C. Wilson:

**H.B. 645**, A BILL TO BE ENTITLED AN ACT TO ENACT DRESS CODES AND APPEARANCE POLICIES FOR PUBLIC SCHOOL STUDENTS AND EMPLOYEES, is referred to the Committee on Education.

By Representatives Capps, Blust, Carpenter, Davis, Decker, Hilton, Johnson, Morris, Sexton, and Shubert:

**H.B. 646**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA RELIGIOUS FREEDOM RESTORATION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

**H.B. 647**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE A PORTION OF THE FACILITIES FEES COLLECTED BY THE CITY TO DEFRAY THE COSTS OF ADMINISTERING THE FACILITIES FEE PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Alexander, Barefoot, Insko, and Wainwright:

**H.B. 648**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA STUDY COMMISSION ON MEDICAL EXAMINERS, is referred to the Committee on Public Health and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker, Davis, and Sexton:

**H.B. 649**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE 2001 GENERAL ASSEMBLY TO CONSIDER AN EMERGENCY APPROPRIATIONS BILL TO FUND DISTRIBUTIONS TO LOCAL GOVERNMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Howard, Adams, Alexander, Blue, Blust, Bowie, Brubaker, Carpenter, Coates, Culp, Davis, Edwards, Esposito, Fitch, Hensley, Hill, Holmes, Insko, Johnson, Justus, Kiser, Luebke, McAllister, McComas, Michaux, Morgan, Sherrill, Starnes, Teague, Underhill, Walker, Warner, Weatherly, Weiss, and West:

**H.B. 650**, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE AUTHORITY OF LOCAL BOARDS OF EDUCATION TO ENTER INTO CONTRACTS FOR THE SALE OF SOFT DRINKS TO STUDENTS IN PUBLIC SCHOOLS, AND TO APPOINT

AN INDEPENDENT STUDY COMMISSION TO STUDY THE PUBLIC HEALTH ISSUES AND MAKE RECOMMENDATIONS REGARDING WHETHER CERTAIN FOODS, INCLUDING SOFT DRINKS, SHOULD BE MADE AVAILABLE TO STUDENTS IN PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Tolson:

**H.B. 651**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY, is referred to the Committee on Local Government II.

By Representatives Tolson, Fitch, Hall, and Warren:

**H.J.R. 652**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF MACCLESFIELD ON THE TOWN'S CENTENNIAL ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 118** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NONRESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES, is read the first time and referred to the Committee on Health.

**S.B. 162**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

### 2001 GENERAL ASSEMBLY FIRST SESSION

### SPECIAL MESSAGE FROM THE SENATE

March 15, 2001

Senate Chamber  
March 15, 2001

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you of the election of the following members to the Board of Governors of The University of North Carolina Pursuant to **S.R. 103** (Committee Substitute), A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

**AT-LARGE CATEGORY - FOUR YEAR TERM**

G. Irvin Aldridge  
Ray S. Farris  
Jim W. Phillips, Jr.  
J. Bradley (Brad) Wilson

**MINORITY RACE CATEGORY - FOUR YEAR TERM**

Bert Collins  
Dr. Willie J. Gilchrist

**WOMAN CATEGORY - FOUR YEAR TERM**

Anne W. Cates  
Hannah D. Gage

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
March 15, 2001

Mr. Speaker:

It is ordered that a message be sent to your Honorable Body notifying you of the election of the following member to the Board of Governors of The University of North Carolina Pursuant to **S.R. 267**, A SENATE  
March 15, 2001

RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING ONE AT-LARGE MEMBER OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

AT-LARGE CATEGORY (Unexpired Term)

John W. Davis III

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**CALENDAR**

Action is taken on the following:

**H.B. 77**, (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD, AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, AND CATAWBA.

Representative Daughtry offers Amendment No. 3 which is ruled to be material. This amendment, which changes the title, is adopted by the following vote. The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cole, J. Crawford, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representative Davis.

Excused absences: Speaker Black; Representatives Culp, Esposito, Hall, Hiatt, Howard, and Hunter - 7.

March 15, 2001

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 163** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS.

Representative Fox requests that he be excused from voting on this bill, because he owns a factory that has a showroom in High Point, under Rule 24.1A and this request is granted. Representative Warner requests that he be excused from voting on this bill, because of conflict with personal business interests, under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Church, Coates, Cole, Cox, J. Crawford, Creech, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Fitch, Gibson, Gray, Gulley, Hackney, Haire, Hensley, Hill, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 88.

Voting in the negative: Representatives Allred, Baker, Barnhart, Capps, Carpenter, Davis, Eddins, Ellis, Gillespie, Grady, Harrington, Hilton, Kiser, Morgan, Morris, Nye, Pope, Setzer, and Starnes - 19.

Excused absences: Speaker Black; Representatives Culp, Esposito, Hall, Hiatt, Howard, and Hunter - 7.

Excused vote: Representatives Fox and Warner - 2.

**H.B. 108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CHEROKEE, CURRITUCK, GRAHAM, HAYWOOD, JACKSON, MADISON, PASQUOTANK, PERQUIMANS, SWAIN, VANCE, AND WARREN COUNTIES TO REQUIRE THE

PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

The bill, as amended, passes its third reading by electronic vote (108-4), and is ordered engrossed and sent to the Senate.

**H.B. 306**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 148**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, passes its second reading by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 189**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998 AND TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND BY ONE YEAR TO OCTOBER 1, 2002, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, passes its second reading by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF

NORTH CAROLINA, passes its second reading by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 376** (Committee Substitute), A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, passes its second reading by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 481**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LORINZO LITTLE JOYNER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second reading by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

### **RESOLUTION PLACED ON CALENDAR**

Representative Culpepper gives notice pursuant to Rule 36(b) and **H.R. 542**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is placed on today's Calendar for immediate consideration.

The resolution is adopted, by electronic vote (106-1), and ordered printed.

### **CALENDAR (continued)**

**H.B. 149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE



JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, which was temporarily displaced, is before the Body.

The bill passes its second reading by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 7**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS I FELONIES AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 385** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Gibson, Chair, for the Committee on Alcoholic Beverage Control:

**H.B. 446**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ABC BOARDS TO ENTER COOPERATIVE AGREEMENTS FOR MANAGEMENT OF ABC STORES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

Representative Culpepper moves, seconded by Representative Jeffus that the House adjourn, subject to notices and announcements, to reconvene Monday, March 19, 2001, at 7:00 p.m.

The motion carries.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

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The Speaker Pro Tempore makes the following committee assignments:

**EDUCATION SUBCOMMITTEE ON PRE-SCHOOL, ELEMENTARY AND SECONDARY EDUCATION:** Add Representative Warwick; remove Representative Bowie.

**EDUCATION SUBCOMMITTEE ON COMMUNITY COLLEGES:**  
Add Representative Bowie.

**JUDICIARY III:** Add Representative Ellis.

The House stands adjourned at 1:14 p.m.

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## **THIRTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Monday, March 19, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, it has pleased You since the dawn of history to take ordinary men and women, empower them with Your Spirit, and effect extraordinary results through them. In the same way, come now upon us. Use these ordinary citizens to do the extraordinary task of forging a future for this State. Teach each of us how we might better serve You. Help us to move beyond concerns for ourselves to concerns for our fellow human beings. Give us courage to follow Your will regardless of the consequences. For

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we know that only when we walk in Your way, share Your compassion, and offer Your justice will our work be truly great. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Esposito, Hunter, Pope, and Redwine for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 6**, A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESTOWN AND ARLINGTON, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 20. The original bill is placed on the Unfavorable Calendar.

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY, THE TOWN OF PINE KNOLL SHORES, AND THE TOWN OF INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 20.

**H.B. 146**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX

CREDITS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 20. The original bill is placed on the Unfavorable Calendar.

**H.B. 327**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATE TREASURER'S INVESTMENT AUTHORITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 20. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 3**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A RECIPROCITY LAW WILL DISCOURAGE PREFERENCE LAWS IN OTHER STATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 20. The original bill is placed on the Unfavorable Calendar.

**H.B. 94**, A BILL TO BE ENTITLED AN ACT TO SET UP A CUSTOMER SERVICE QUALITY ASSURANCE PROGRAM WITHIN THE STATE AUDITOR'S OFFICE, SO AS TO ENSURE THAT PERSONS RECEIVE QUALITY SERVICES FROM STATE AGENCIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 38(a), the committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 183** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW DISTRICT COURT JUDGES AND EMERGENCY

SUPERIOR COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of March 20. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative McLawhorn for the Permanent Subcommittee on Community Colleges:

**REPORT OF  
COMMUNITY COLLEGES  
SUBCOMMITTEE**

Pursuant to G.S. 115D-2.1(b)(4)f, the House Education Subcommittee on Community Colleges met on March 15, 2001, the majority of members being present, and submits the following nominees to be considered by the House of Representatives March 22, 2001, for election to the State Board of Community Colleges for a six year term, beginning July 1, 2001.

Dr. Bill H. Davis, Jr.  
Ronda, North Carolina

Camilla W. Hall  
Kannapolis, North Carolina

Thomas C. King, Jr.  
Raleigh, North Carolina

Jimmy L. Moore  
Sylva, North Carolina

Thomas E. Norman  
Charlotte, North Carolina

Addison Neal Smith  
Woodleaf, North Carolina

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

S/ Marian N. McLawhorn, Chair  
EDUCATION/Subcommittee on  
Community Colleges

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Hill, Church, Teague, Wainwright, Walker, and G. Wilson:

**H.B. 653**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KENLY TOBACCO FARM LIFE MUSEUM, is referred to the Committee on Appropriations.

By Representatives Hill, Church, Teague, Underhill, Wainwright, Walker, and G. Wilson:

**H.B. 654**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS, is referred to the Committee on Appropriations.

By Representatives Hill, Church, Teague, Underhill, Wainwright, Walker, and G. Wilson:

**H.B. 655**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE AGRONOMIC LABORATORY IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, is referred to the Committee on Appropriations.

By Representatives Holmes and Walker:

**H.B. 656**, A BILL TO BE ENTITLED AN ACT TO ALLOW JOHNNY S. MYERS TO CONVEY CERTAIN PROPERTY TO THE COUNTY OF YADKIN, is referred to the Committee on Local Government II.

By Representative Arnold:

**H.B. 657**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 72ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Arnold:

**H.B. 658**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Arnold, Morris, Rayfield, Russell, and Sexton:

**H.B. 659**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STATE FUNDS TO THE PUBLIC SCHOOLS FOR THE COSTS OF SCHOOL UTILITIES, is referred to the Committee on Appropriations.

By Representative Gillespie:

**H.B. 660**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 49TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Harrington, Barefoot, Dedmon, Hilton, Kiser, Rayfield, and Weatherly:

**H.B. 661**, A BILL TO BE ENTITLED AN ACT AUTHORIZING GASTON COUNTY TO INCREASE THE SIZE OF ITS BOARD OF SOCIAL SERVICES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Decker, Barnhart, Blust, and Capps (Primary Sponsors); Carpenter, Davis, Eddins, Ellis, Esposito, Gillespie, Harrington, Hilton, Johnson, Kiser, Morris, Setzer, Sexton, Shubert, Starnes, Weatherly, West, and C. Wilson:

**H.B. 662**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY INFANT BORN ALIVE IS INCLUDED IN THE DEFINITION OF PERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin, Adams, Alexander, Allen, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Carpenter, Church, Coates, Cole, J. Crawford, Creech, Cunningham, Dedmon, Earle, Easterling, Fitch, Fox, Gibson, Hackney, Hall, Harrington, Hensley, Hill, Howard, Insko, Jeffus, Johnson, Lucas, Luebke, McLawhorn, Michaux, Morris, Nesbitt, Oldham, Redwine, Russell, Saunders, Sherrill, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, West, Womble, Wright, and Yongue:

**H.J.R. 663**, A JOINT RESOLUTION HONORING THE MEMORY OF THE VICTIMS OF THE IMPERIAL FOOD PRODUCTS FIRE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 664**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROTEST PROCEDURES IN THE CITY OF ROCKINGHAM, is referred to the Committee on Local Government I.

By Representatives Hackney and Haire (Primary Sponsors); Goodwin, Luebke, and Weiss:

**H.B. 665**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR ASSAULT, BATTERY, AND FALSE IMPRISONMENT TO THREE YEARS IN ORDER TO PROVIDE THAT THE PERIOD OF LIMITATIONS FOR THESE INTENTIONAL TORTS IS AS LONG AS THE PERIOD OF LIMITATIONS FOR UNINTENTIONAL TORTS, is referred to the Committee on Judiciary I.

By Representatives J. Crawford and Allen:

**H.B. 666**, A BILL TO BE ENTITLED AN ACT MAKING IT A CRIMINAL OFFENSE TO OBTAIN AMBULANCE SERVICES FRAUDULENTLY IN HALIFAX COUNTY, is referred to the Committee on Local Government I.

By Representatives Barbee and Gibson:

**H.B. 667**, A BILL TO BE ENTITLED AN ACT INCREASING THE NUMBER OF COMMISSIONERS FOR THE TOWN OF NEW LONDON, EXTENDING THE TERMS OF OFFICE FOR THE TOWN'S COMMISSIONERS AND MAYOR, AND STAGGERING THOSE TERMS, is referred to the Committee on Local Government II.

By Representatives Baddour, Adams, Alexander, Hackney, Luebke, and Sutton:

**H.B. 668**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH MEDIATED SETTLEMENT PROCEDURES IN DISTRICT COURT ACTIONS INVOLVING FAMILY FINANCIAL ISSUES, is referred to the Committee on Judiciary II.

By Representatives Harrington, Cansler, Carpenter, and Johnson (Primary Sponsors); Allred, Arnold, Barnhart, Blust, Capps, Culp, Daughtry, Davis, Dockham, Ellis, Gillespie, Gulley, Hilton, Holmes, Kiser,

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McCombs, Mitchell, Morris, Rayfield, Russell, Sexton, Sherrill, Shubert, Teague, Walend, Weatherly, and C. Wilson:

**H.B. 669**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESCRIPTION DRUG ASSISTANCE PROGRAM FOR QUALIFIED AGED PERSONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Harrington, Buchanan, Davis, Miller, Morris, and Rayfield:

**H.B. 670**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE PROVISIONS OF THE CHECK CASHER ACT AUTHORIZING POSTDATED OR DELAYED DEPOSIT CHECKS AND TO CLARIFY THAT SUCH TRANSACTIONS ARE AN EXTENSION OF CREDIT AND TO PROVIDE ADDITIONAL CONSUMER PROTECTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gulley:

**H.B. 671**, A BILL TO BE ENTITLED AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS, is referred to the Committee on Finance.

By Representative Earle:

**H.B. 672**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF CHARLOTTE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Earle:

**H.B. 673**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CORNELIUS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Earle:

**H.B. 674**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MECKLENBURG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Earle:

**H.B. 675**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF HUNTERSVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Eddins, Harrington, and Morris:

**H.B. 676**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE RIGHTS OF VICTIMS OF CRIME IN NORTH CAROLINA BY DISALLOWING WORK RELEASE FOR PERSONS CONVICTED OF MURDER OR MANSLAUGHTER, REQUIRING RESTITUTION FOR PRISONERS WITH WORK-RELEASE PRIVILEGES, SCREENING DEATH ROW VISITATION, LIMITING CONTACT WITH VICTIMS, REQUIRING THAT VIOLENT INMATES BE HOUSED AT REASONABLE DISTANCES FROM THEIR VICTIMS, IMPROVING NOTIFICATION TO VICTIMS ABOUT ESCAPES, AND REQUIRING CERTAIN PUBLIC INFORMATION ABOUT DEATH ROW INMATES TO INCLUDE THE NAMES OF THE VICTIMS AND INFORMATION ABOUT THE CRIMES COMMITTED AGAINST THEM, is referred to the Committee on Judiciary I.

By Representatives Mitchell and Setzer:

**H.B. 677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR CONSTRUCTION OF PHASE II OF THE CATTLE AND LIVESTOCK EXPOSITION CENTER IN IREDELL COUNTY, is referred to the Committee on Appropriations.

By Representative Buchanan:

**H.B. 678**, A BILL TO BE ENTITLED AN ACT TO ALLOW MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR PURPOSES ASSOCIATED WITH EMERGENCY RESPONSE, is referred to the Committee on Public Utilities.

By Representatives Morris, Hurley, Lucas, McAllister, Nye, Warner, and Yongue:

**H.B. 679**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE OPERATION OF THE CUMBERLAND COUNTY JUVENILE ASSESSMENT CENTER PROJECT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Appropriations.

By Representatives Morris and Gibson (Primary Sponsors):

**H.J.R. 680**, A JOINT RESOLUTION HONORING THE MEMORY AND SERVICE OF DOG HANDLERS AND VISUAL TRACKERS KILLED DURING THE VIETNAM WAR AND RECOGNIZING THE SERVICE OF MILITARY DOGS DURING THAT WAR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis, Carpenter, Gillespie, Harrington, Hill, Hilton, Morris, Rayfield, Russell, Setzer, and Warner:

**H.B. 681**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPLAY OF THE TEN COMMANDMENTS IN THE PUBLIC SCHOOLS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Davis:

**H.B. 682**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY, is referred to the Committee on Local Government I.

By Representative Rogers:

**H.B. 683**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE PLYMOUTH TOWN COUNCIL ELECTED FROM A WARD ARE VOTED ON ONLY WITHIN THAT WARD, is referred to the Committee on Local Government II.

By Representative Gibson:

**H.B. 684**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A LONGER DEER HUNTING SEASON IN ANSON COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Gibson:

**H.B. 685**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, MONTGOMERY, AND STANLY COUNTIES TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Gibson and Bowie (Primary Sponsors); Walker:

**H.B. 686**, A BILL TO BE ENTITLED AN ACT TO DEFINE "RECREATION VEHICLE" AND TO INCREASE THE LENGTH AND WIDTH LIMITATIONS FOR THESE VEHICLES, is referred to the Committee on Transportation.

By Representatives Gibson and Weatherly (Primary Sponsors); Barefoot:

**H.B. 687**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FORESTRY" SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representatives Gibson, Warwick, and Weatherly (Primary Sponsors); Allen, Barbee, Barefoot, Bell, Bowie, Buchanan, Church, Coates, Cole, Cox, Creech, Culp, Culpepper, Decker, Dedmon, Dockham, Edwards, Fitch, Fox, Goodwin, Gray, Haire, Hiatt, Hill, Hilton, Holliman, Hurley, Johnson, Kiser, Lucas, McCombs, McLawhorn, McMahan, Miner, Morris, Oldham, Owens, Rayfield, Rogers, Saunders, Smith, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, G. Wilson, Womble, and Yongue:

**H.B. 688**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ASSESSMENT ON TURFGRASS FERTILIZER AND TO PROVIDE FOR THE COLLECTION, USE, AND REFUND OF THIS ASSESSMENT, is referred to the Committee on Finance.

By Representative Haire:

**H.B. 689**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, is referred to the Committee on Judiciary II.

By Representatives Cox and Davis:

**H.B. 690**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VETERANS MEMORIAL PAVILION IN THE TOWN OF BROADWAY, is referred to the Committee on Appropriations.

**MESSAGE FROM THE SENATE**

The following is received from the Senate:

**S.B. 16**, A BILL TO BE ENTITLED AN ACT TO ABOLISH MUNICIPAL BOARDS OF ELECTIONS, REQUIRING THAT ALL ELECTIONS BE CONDUCTED BY COUNTY BOARDS OF ELECTIONS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**CALENDAR**

Action is taken on the following:

**H.B. 163** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS.

Pursuant to Rule 24.1A(c), the requests that Representatives Fox and Warner be excused from voting on March 15 are continued.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Nesbitt, Oldham, Owens, Preston, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 84.

Voting in the negative: Representatives Baker, Capps, Carpenter, Davis, Eddins, Gillespie, Grady, Harrington, Hilton, Kiser, Morgan, Morris, Nye, Rayfield, Setzer, Starnes, and Warwick - 17.

Excused absences: Representatives Brubaker, Esposito, Hunter, Pope, and Redwine - 5.

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Excused vote: Representatives Fox and Warner - 2.

Representative Jarrell states that her voting equipment malfunctioned and she requests and is granted permission to be recorded as voting "aye". This request is granted. Representative Allred requests and is granted permission to be record as voting "no". The adjusted vote total is (85-18).

**H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA AND MOCKSVILLE.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Esposito, Hunter, Pope, and Redwine - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 162** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO ESTABLISH THE RATES FOR REIMBURSEMENT FOR ADULT DAY CARE FROM THE HOME AND COMMUNITY CARE BLOCK GRANT FUND, passes its second

reading by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.B. 195** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A YEARLONG COURSE OF INSTRUCTION ON NORTH CAROLINA HISTORY AND GEOGRAPHY TO ALL FOURTH- AND EIGHTH-GRADE STUDENTS, is withdrawn from the Calendar and placed on the Calendar of March 20.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 331**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL PUBLIC MEMBERS OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION, passes its second reading by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 352**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE EXPIRATION DATE IN THE RISK SHARING PLAN LAW, passes its second reading by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 357**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER

LAWS RELATING TO UMBRELLA INSURANCE, passes its second reading by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 86**, AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES.

**H.B. 278**, AN ACT TO PROVIDE THAT THE TYRRELL COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION.

### INTRODUCTION OF PAGES

Pages for the week of March 19 are introduced to the membership. They are: Juliana Berde of Wake; Lydia Boyd of Granville; Allison Carr of Wake; Matthew Nolan Caudill of Wilkes; Benjamin Fleetwood of Alamance; Ashley Hardy of Brunswick; Amelia Hodges of Wake; Monica Hodges of Wake; Lauren Honeycutt of Granville; Tiffany Kelley of Wake; Jessica Kilpatrick of Wake; Patricia Lawrence of Wayne; Marcus Ratley of Robeson; Hillary Rohn of Jackson; Molly Seamans of Wake; Andrew Stroupe of Wake; Andrew Turke of Wake; Brandon Walker of Wilkes; and Latoya Washington of Wake.

Honorary Page: Brennan Carpenter of Mecklenburg.

On motion of Representative Culpepper, seconded by Representative Easterling, the House adjourns at 7:32 p.m. to reconvene March 20 at 3:00 p.m.

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## THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Tuesday, March 20, 2001



The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O Lord, the concerns of this day could easily overwhelm us. There are calls to return, appointments to make, obligations to fulfill, and meetings to attend. Each of these makes a claim upon our time and a demand upon our mind. Yet, much of what oppresses us with stress is of fleeting value and limited purpose.

"Save us, O God, from the tyranny of the urgent, which constricts our vision and captures our imagination. Come, blessed Redeemer, liberate our minds and free our souls. Engender in us a delight for all things eternal. Enable us to discern actions and objectives of lasting significance. Free us from our drive simply to address the moment so that we might pursue the higher goal of seeking Your justice and nobler purpose of sharing Your mercy. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito and Hunter for today. Representative Russell is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 72, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR APPLYING FOR A RELEASE OR REFUND OF PROPERTY TAXES AFTER THE OWNER HAS SURRENDERED THE VEHICLE LICENSE PLATE**, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

**H.B. 92** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

**H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH CAROLINA INTERNSHIP COUNCIL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

**H.B. 569**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

**H.B. 575**, A BILL TO BE ENTITLED AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 343**, A BILL TO BE ENTITLED AN ACT REMOVING SUNSET PROVISIONS RELATING TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND MAKING OTHER AMENDMENTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 21. The original bill is placed on the Unfavorable Calendar.

Representative Baddour, for the Committee on Judiciary II submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE

PURPOSE OF DEVELOPING A MEDIA CAMPAIGN ADVERTISING THE PROVISIONS OF HOUSE BILL 275.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 717**, and placed on the Calendar for its first reading.

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 75**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 477**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL FIREMEN'S RELIEF FUND OF THE CITY OF MARION, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Wright and McComas:

**H.B. 691**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS OF THE MAIN BRANCH OF THE NEW HANOVER COUNTY PUBLIC LIBRARY, is referred to the Committee on Appropriations.

By Representatives Wright and Wainwright:

**H.B. 692**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ESTABLISHING AND MAINTAINING STATEWIDE ASTHMA MANAGEMENT AND CONTROL ACTIVITIES, is referred to the Committee on Appropriations.

By Representative Wright:

**H.B. 693**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE NEW HANOVER COUNTY COMMUNITY ACTION'S FACILITY, is referred to the Committee on Appropriations.

By Representatives Owens, Fox, Sherrill, and Sutton (Primary Sponsors); Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Coates, Cox, J. Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Easterling, Eddins, Edwards, Fitch, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miner, Mitchell, Morris, Nye, Oldham, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue:

**H.B. 694**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Cunningham, Easterling, Gulley, Harrington, Rayfield, Saunders, and C. Wilson:

**H.B. 695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO MECKLENBURG COUNTY ZONING, is referred to the Committee on Local Government I.

By Representatives McMahan, Cunningham, Easterling, Gulley, Harrington, Rayfield, Saunders, and C. Wilson:

**H.B. 696**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET RELATING TO MECKLENBURG MUNICIPAL ZONING, is referred to the Committee on Local Government I.

By Representative Redwine:

**H.B. 697**, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION, is referred to the Committee on Finance.

By Representatives Smith and Preston:

**H.B. 698**, A BILL TO BE ENTITLED AN ACT REGARDING CARTERET COUNTY OCCUPANCY TAX CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 699**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CAMDEN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION ON A NONPARTISAN BASIS, is referred to the Committee on Local Government II.

By Representative Barefoot:

**H.B. 700**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE THE NAME ON THE NOTARY SEAL DOES NOT COMPORT EXACTLY WITH THE NAME ON THE NOTARY COMMISSION, is referred to the Committee on Judiciary III.

By Representatives Culpepper and Jarrell:

**H.J.R. 701**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PERSONS WHO WERE INSTRUMENTAL IN THE DEVELOPMENT OF THE ELIZABETHAN GARDENS, A CULTURAL TREASURE IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 702**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO DISPOSE OF WETLANDS MITIGATION BANKING CREDITS, is referred to the Committee on Local Government II.

By Representatives Gray, Decker, Esposito, Oldham, Sexton, and Womble:

**H.B. 703**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND SERVICES ON A REQUEST FOR PROPOSALS BASIS, is referred to the Committee on Local Government II.

By Representatives C. Wilson, Alexander, Cunningham, Earle, Gulley, Harrington, McMahan, and Rayfield:

**H.B. 704**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BUILDING CODE PILOT PROGRAM FOR REHABILITATING EXISTING BUILDINGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers, Edwards, Jarrell, McLawhorn, Tolson, and Warren:

**H.B. 705**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS TO ENFORCE SPEED RESTRICTIONS, is referred to the Committee on Local Government II.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 175**, A BILL TO BE ENTITLED AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION, is returned for concurrence in one Senate amendment and placed on the Calendar of March 21 pursuant to Rule 36(b).

**S.B. 30** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS, is read the first time and referred to the Committee on Judiciary III.

**S.B. 71** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS

WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS, is read the first time and referred to the Committee on Education.

**S.B. 132** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING, is read the first time and referred to the Committee on Insurance.

**S.B. 195** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE AS REGISTERED NURSES OR LICENSED PRACTICAL NURSES UPON THE REQUEST OF THE NORTH CAROLINA BOARD OF NURSING, TO AUTHORIZE THE BOARD OF NURSING TO REQUIRE CRIMINAL HISTORY RECORD CHECKS OF PERSONS APPLYING TO PRACTICE NURSING IN THE STATE OF NORTH CAROLINA, AND TO AMEND THE POWERS OF THE BOARD OF NURSING TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS UPON THE BOARD'S REQUEST, is read the first time and referred to the Committee on Judiciary I.

**S.B. 336**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES OR IN HALIFAX COUNTY, is read the first time and referred to the Committee on Judiciary I.

## CALENDAR

Action is taken on the following:

**H.B. 77**, (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA AND MOCKSVILLE.

The bill passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue,

March 20, 2001

Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representative Ellis.

Excused absences: Representatives Esposito and Hunter - 2.

**H.B. 6** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Esposito and Hunter - 2.



**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY, THE TOWN OF PINE KNOLL SHORES, AND THE TOWN OF INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

Representative Culpepper offers Amendment No. 1, which is ruled to be material, thus constituting its first reading. The amendment, which changes the title, is adopted by the following vote. The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representative Pope.

Excused absences: Representatives Esposito and Hunter - 2.

**H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNER-SHIP INCOME TAX CREDITS.

On motion of Representative Luebke, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 193** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY

CARE AND/OR COMMUNITY BENEFITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Guley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representatives Baker and Rayfield - 2.

Excused absences: Representatives Esposito and Hunter - 2.

**H.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NON-RESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS.

On motion of Representative Owens and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of March 21.

**H.B. 183** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ALLOW EMERGENCY SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES, passes its second reading by electronic vote (98-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 195** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE A YEAR-

LONG COURSE OF INSTRUCTION ON NORTH CAROLINA HISTORY AND GEOGRAPHY TO ALL FOURTH- AND EIGHTH-GRADE STUDENTS.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (110-3).

The bill, as amended, passes its second reading by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hackney and without objection, **H.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATE TREASURER'S INVESTMENT AUTHORITY, is withdrawn from the Calendar and placed on the Calendar of March 27.

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 386** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS, passes its second reading by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 446**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ABC BOARDS TO ENTER COOPERATIVE AGREEMENTS FOR MANAGEMENT OF ABC STORES, passes its second reading by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 85** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE

NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO COLLABORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE, passes its second reading by electronic vote (116-0).

Representative Pope objects to the third reading. The bill remains on the Calendar.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Luebke and without objection, **H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX CREDITS, which was temporarily displaced, is withdrawn from the Calendar and placed on the Calendar of March 22.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 86**, AN ACT TO PROVIDE FOUR-YEAR TERMS FOR THE MAYOR OF RENNERT AND PROVIDE THAT THE MAYOR MAY ONLY VOTE TO BREAK TIES. (S.L. 2001-3)

**H.B. 278**, AN ACT TO PROVIDE THAT THE TYRRELL COUNTY BOARD OF EDUCATION SHALL TAKE OFFICE IN JULY OF THE YEAR OF THEIR ELECTION. (S.L. 2001-4)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 21.

**H.B. 204**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAITING PERIOD FOR COVERAGE UNDER THE NORTH CAROLINA HEALTH INSURANCE PROGRAM FOR CHILDREN (NORTH CAROLINA HEALTH CHOICE), with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Coates that the House adjourn, subject to notices and announcements, to reconvene March 21 at 3:00 p.m.

The motion carries.

#### **ADDENDA TO COMMITTEE ASSIGNMENTS**

March 20, 2001

The Speaker makes the following committee assignments:

**MENTAL HEALTH**: Add Representative Alexander.

**JUDICIARY III**: Add Representative Bell.

The House stands adjourned at 4:25 p.m.

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### **THIRTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, March 21, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

March 21, 2001

"O Lord:

"Give us faith - faith that You are working in us, that You are working in the world, that You are working in the world through us.

"Give us hope - hope that we can make a difference, hope that tomorrow will be better than today, hope that our future will be Your future.

"Give us love - love that fully embraces the relationship You offer us, love that truly shares in the lives of our families and friends, love that reaches out to others in need.

"May Your gifts of faith, hope and love abide in us, and through us in this world. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Davis, Esposito, Gray, and Hunter for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 253**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MANUFACTURED HOMES NEED NOT HAVE MULTIPLE SECTIONS TO QUALIFY AS REAL PROPERTY FOR PROPERTY TAX PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 27. The original bill is placed on the Unfavorable Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**S.B. 237**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS

CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 27.

By Representatives Dedmon and Kiser, Chairs, for the Committee on Highway Safety and Law Enforcement:

**H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 27.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 232**, A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE FOR CALENDAR YEAR 2001, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 275**, A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 27. The original bill is placed on the Unfavorable Calendar.

**H.B. 277**, A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILES TO SUBMIT REQUESTS FOR REVIEW OF EXTENDED COMMITMENT DECISIONS WITHIN TEN DAYS OF RECEIPT OF THE NOTIFICATION OF EXTENDED COMMITMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 27. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 15**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC SCHOOL LAWS BY DEFINING THE TERM "MIDDLE SCHOOL", with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 27. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 555**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE, with a favorable report.

On motion of the Chair, pursuant to Rule 38(b), the bill is re-referred to the Committee on Finance.

**S.B. 138**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE MOUNT AIRY TOURISM DEVELOPMENT AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 27.

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

The following are introduced, read the first time and referred to committee:

By Representative Bell:

**H.B. 706**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAYNE, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Bell:

**H.B. 707**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Bell:

**H.B. 708**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DUPLIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baker and Michaux:

**H.B. 709**, A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Arnold:

**H.B. 710**, A BILL TO BE ENTITLED AN ACT TO ALLOW A PORTION OF THE MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR PURPOSES OTHER THAN EQUIPMENT AND RATES, is referred to the Committee on Public Utilities.

By Representative Arnold:

**H.B. 711**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO TEACHERS AT LOW-PERFORMING SCHOOLS IN NORTH CAROLINA, is referred to the Committee on Finance.

By Representative Smith:

**H.B. 712**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY, is referred to the Committee on Finance.

By Representatives McCombs and Coates (Primary Sponsors) (By Request):

**H.B. 713**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ROWAN COUNTY TO LEVY A TEMPORARY, ONE-CENT LOCAL

SALES TAX FOR PUBLIC SCHOOL CAPITAL OUTLAY, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye, Alexander, Luebke, and Weiss:

**H.B. 714**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ALICE AYCOCK POE CENTER FOR HEALTH EDUCATION, is referred to the Committee on Appropriations.

By Representatives Gulley, Saunders, and Earle (Primary Sponsors):

**H.B. 715**, A BILL TO BE ENTITLED AN ACT TO DISTRIBUTE THE PROCEEDS OF THE MECKLENBURG PREPARED FOOD TAX AMONG ALL MECKLENBURG COUNTY MUNICIPALITIES, is referred to the Committee on Local Government I.

By Representative Haire:

**H.B. 716**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAW OF FIDUCIARIES AND DECEDENTS' ESTATES, is referred to the Committee on Judiciary II.

By the Committee on Judiciary II:

**H.B. 717**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PURPOSE OF DEVELOPING A MEDIA CAMPAIGN ADVERTISING THE PROVISIONS OF HOUSE BILL 275, is referred to the Committee on Appropriations.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR

Action is taken on the following:

March 21, 2001

**H.B. 175**, A BILL TO BE ENTITLED AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION.

On motion of Representative Goodwin, the House concurs in Senate Amendment No. 1, by electronic vote (107-0), and the bill is ordered enrolled.

**H.B. 6** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Davis, Esposito, Gray, and Hunter - 4.

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY, THE TOWN OF PINE KNOLL SHORES, AND THE TOWN OF INDIAN BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

On motion of Representative Smith, the bill is temporarily displaced.

**H.B. 569**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS

OF THE TOWN OF FUQUAY-VARINA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Davis, Esposito, Gray, and Hunter - 4.

**H.B. 575**, A BILL TO BE ENTITLED AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 193** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY CARE AND/OR COMMUNITY BENEFITS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson,

March 21, 2001

Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Davis, Esposito, Gray, and Hunter - 4.

**H.B. 92** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Guley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representative Barnhart.

Excused absences: Representatives Davis, Esposito, Gray, and Hunter - 4.

**S.B. 85** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO COLLABORATE WITH

OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its third reading by electronic vote (114-0), and is ordered sent to the Senate for concurrence in House amendment.

**H.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NON-RESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS.

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (107-6).

Representative Shubert objects to the third reading. The bill remains on the Calendar.

**H.B. 72**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR APPLYING FOR A RELEASE OR REFUND OF PROPERTY TAXES AFTER THE OWNER HAS SURRENDERED THE VEHICLE LICENSE PLATE, passes its second reading by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 75**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT, passes its second reading by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY

THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY.

On motion of Representative Alexander, the bill is temporarily displaced.

**H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH CAROLINA INTERNSHIP COUNCIL, passes its second reading by electronic vote (112-0), and there being no objection is read a third time.

Representative Gibson states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (113-0).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, which was temporarily displaced, is before the Body.

On motion of Representative Holmes, the bill is withdrawn from the Calendar and re-referred to the Committee on Insurance, by electronic vote (58-56).

**H.B. 343** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REMOVING SUNSET PROVISIONS RELATING TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND MAKING OTHER AMENDMENTS, passes its second reading by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY, THE TOWNS OF PINE KNOLL SHORES, INDIAN BEACH, AND NAGS HEAD TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

Representative McComas offers Amendment No. 2 which is ruled to be material, thus constituting its first reading. The amendment, which changes the title, is adopted by the following vote.

The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Davis, Esposito, Gray, and Hunter - 4.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 688**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ASSESSMENT ON TURFGRASS FERTILIZER AND TO PROVIDE FOR THE COLLECTION, USE, AND REFUND OF THIS ASSESSMENT, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 516**, A BILL TO BE ENTITLED AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.



On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 694**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAW, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary III.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 571**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES, is withdrawn from the Committee on Public Utilities and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Warwick, the House adjourns at 4:30 pm. to reconvene March 22 at 1:30 p.m.

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## THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, March 22, 2001

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Marnie Crumpler, Bennett Chaplain at Peace College, Raleigh, North Carolina.

"Almighty God,

"We pause to give You thanks for the gift of a new day and for the inherent gifts of each new day - the gifts of health and life and breath. God, we are especially thankful today for sun after the rain, and for calm after the storm. As our lives and seasons are hurried and changing, we are comforted that You remain the same. You create us, redeem and sustain us and You call us to do Your work in the world. God, as the people in this place do what they have been called and purposed to do, God grant them minds to think clearly, grant them eyes to see sharply, grant them ears to hear Your voice and the voice of their colleagues, grant them hearts to feel passionately for the people and needs of our State and our world. We pray these things acknowledging Your greatness and I pray in the name of Jesus Christ. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 21 has been

March 22, 2001

examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Brubaker, Esposito, Gray, Hiatt, Howard, and Hunter for today. Representatives Arnold, McLawhorn, Smith, and Womble are excused for a portion of the session.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

(Camilla) Millie W. Hall  
201 East Third Street  
Kannapolis, N. C. 28083

March 22, 2001

TO WHOM IT MAY CONCERN:

Re: Nomination Community College Board

Due to very recent personal problems, I would like for my name to be withdrawn from the list of above. I appreciate the opportunity, but at this time I would be unable to serve and would like the same opportunity at a later date.

Thank you for your consideration.

Sincerely,

Millie W. Hall

The letter is noted and the Speaker orders the name of Camilla Hall removed from the ballot for the Election of the State Board of Community Colleges.

**ENROLLED BILLS**

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

March 22, 2001

**H.B. 175**, AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 376**, A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. (RESOLUTION 2001-6)

**STATE BOARD OF COMMUNITY COLLEGES ELECTION**

The Speaker recognizes Representative McLawhorn who explains the voting procedure to the Members.

Pursuant to **H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, ballots are distributed to the Members and the election proceeds.

Representatives McLawhorn, Womble, Smith, and Arnold retire from the Chamber to canvass the vote.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 689**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 432**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, TO ESTABLISH EDUCATIONAL REQUIREMENTS REQUIRED FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, AND TO INCREASE FEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 32(a), the committee substitute bill is referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 85**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 382**, A BILL TO BE ENTITLED AN ACT ADOPTING THE STRAWBERRY AS THE OFFICIAL FRUIT OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 423**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 196**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE RESTORATION OF THE FAIR BARN IN THE VILLAGE OF PINEHURST FROM THE PUBLIC BIDDING LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 553**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

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

The following are introduced, read the first time and referred to committee:

By Representatives Miller, Luebke, and Weiss:

**H.B. 718**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DURHAM COUNTY TO LEVY A TAX ON LAND DEVELOPMENT TO PAY PART OF THE COSTS OF SCHOOL CAPITAL FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox, Allen, and J. Crawford:

**H.B. 719**, A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, is referred to the Committee on Local Government II.

By Representatives Warner, Cox, Davis, Hurley, Lucas, and Morris:

**H.B. 720**, A BILL TO BE ENTITLED AN ACT TO REGULATE INTERBASIN TRANSFERS AND TO RESTRICT THE TRANSFER OF WATER BETWEEN THE VARIOUS RIVER BASINS IN THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner, Hurley, and Lucas:

**H.B. 721**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING AND DEVELOPMENT OF THE CAPE FEAR RIVER FRESHWATER AQUARIUM, is referred to the Committee on Appropriations.

By Representatives Cox, Davis, and Wainwright:

**H.B. 722**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT, is referred to the Committee on Public Health.

By Representatives Pope, Barefoot, Hall, Weiss, and West:

**H.B. 723**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko, Alexander, Barefoot, Bonner, Cole, Fox, Goodwin, Hackney, Haire, Hall, Lucas, Luebke, Rogers, Saunders, Sutton, Tolson, Wainwright, Weiss, and Yongue:

**H.B. 724**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY, is referred to the Committee on Appropriations.

By Representatives Culpepper and Rogers:

**H.B. 725**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR ALL COSTS ASSOCIATED WITH OPERATING A 911 SYSTEM, is referred to the Committee on Public Utilities.

By Representative Culpepper:

**H.B. 726**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NAGS HEAD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 727**, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF FUNDS BY THE DARE COUNTY DEPARTMENT OF SOCIAL SERVICES, is referred to the Committee on Local Government I.

By Representatives Capps, Allen, Arnold, Barbee, Barnhart, Blust, Bowie, Brubaker, Cansler, Carpenter, Clary, Cox, J. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Fox, Gillespie, Grady, Gray, Gulley, Harrington, Hiatt, Hilton, Holmes, Johnson, Justus, Kiser, McComas, McCombs, McMahan, Mitchell, Morris, Nye, Owens, Pope, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Smith, Teague, Thompson, Walend, Walker, Warner, Warwick, Weatherly, West, C. Wilson, G. Wilson, and Wright:

**H.B. 728**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE DISPLAY OF THE UNITED STATES FLAG, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 729**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 730**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 731**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 732**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 733**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 8TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright, Cox, and Wainwright:

**H.B. 734**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EDUCATE THE GENERAL PUBLIC AND TO INCREASE AWARENESS OF HEPATITIS C AS A PUBLIC HEALTH THREAT IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Wright, Cox, and Wainwright:

**H.B. 735**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR DIABETES CONTROL ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Barefoot, Bell, Bonner, Luebke, Rogers, Wainwright, Warren, Weiss, and Yongue:

**H.B. 736**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LONG-TERM CARE FACILITIES POST INFORMATION ABOUT STAFFING LEVELS, is referred to the Committee on Health.

By Representatives Earle, Baddour, Wainwright, and C. Wilson:

**H.B. 737**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO ADOPTION, is referred to the Committee on Judiciary II.

By Representative Dockham:

**H.B. 738**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 94TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Dockham:

**H.B. 739**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 94TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Morgan:

**H.B. 740**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE SERVICES COMMISSION TO OPERATE THE SNACK BAR IN THE LEGISLATIVE OFFICE BUILDING, is referred to the Committee on State Government.

By Representative Morgan:

**H.B. 741**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 31ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

**H.B. 742**, A BILL TO BE ENTITLED AN ACT TO MODIFY MOORE COUNTY HUNTING LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

**H.B. 743**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 31ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

**H.B. 744**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Arnold:

**H.B. 745**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 72ND HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative C. Wilson; Speaker Black; Representatives Alexander, Earle, Easterling, Gulley, Harrington, McMahan, Rayfield, and Saunders:

**H.J.R. 746**, A JOINT RESOLUTION HONORING THE MEMORY OF MRS. FRANK WOODS, MRS. HUNDLEY GOVER, MRS. W. STEWART PEERY, MRS. WILLIAM H. MEANOR, MRS. BRUCE A. BEERY, AND MRS. LEE A. THORNBURG, FORMER PRESIDENTS

OF THE CHARLOTTE SYMPHONY GUILD UPON THE GUILD'S FIFTIETH ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Redwine:

**H.B. 747**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON 1999 LEGISLATION THAT REDUCED THE UNEMPLOYMENT INSURANCE TAX BY TWENTY PERCENT FOR MOST EMPLOYERS AND SUBSTITUTED AN EQUIVALENT CONTRIBUTION TO FUND ENHANCED EMPLOYMENT SERVICES AND WORKER TRAINING PROGRAMS, is referred to the Committee on Judiciary I.

By Representatives Nesbitt, Morris, and Wainwright:

**H.B. 748**, A BILL TO BE ENTITLED AN ACT TO EXEMPT NEWSPAPERS SOLD THROUGH A VENDING MACHINE FROM SALES AND USE TAX, is referred to the Committee on Finance.

By Representative Ellis:

**H.B. 749**, A BILL TO BE ENTITLED AN ACT AUTHORIZING CERTAIN TOWNS TO DENY A BUILDING PERMIT OR REFUSE TO APPROVE A SITE PLAN IF ALL THE TREES HAVE BEEN REMOVED FROM THE TRACT OF LAND FOR WHICH THE PERMIT OR APPROVAL IS SOUGHT, is referred to the Committee on Local Government I.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 258**, A BILL TO BE ENTITLED AN ACT TO REQUIRE RESCISSION OFFERS TO BE FILED WITH THE SECRETARY OF STATE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER, is read the first time and referred to the Committee on State Government.

**S.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXEMPTION FOR THE OFFER AND

SALE OF STOCK IS ALLOWED ONLY FOR CORPORATIONS THAT ARE ORGANIZED AND THAT OPERATE TO CONFER A PUBLIC BENEFIT, is read the first time and referred to the Committee on Judiciary II.

### CALENDAR

Action is taken on the following:

**H.B. 569**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Arnold, Blue, Brubaker, Esposito, Gray, Hiatt, Howard, Hunter, McLawhorn, Smith, and Womble - 11.

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY AND THE TOWNS OF PINE KNOLL SHORES, INDIAN BEACH, AND NAGS HEAD TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust,

Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 92.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Davis, Decker, Eddins, Ellis, Gillespie, Hilton, Kiser, Setzer, Starnes, Walend, and Walker - 15.

Excused absences: Representatives Arnold, Blue, Brubaker, Esposito, Gray, Hiatt, Howard, Hunter, McLawhorn, Smith, and Womble - 11.

**H.B. 92** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO INCREASE THE FEE CHARGED NONRESIDENTS FOR SEARCHES OF ARCHIVED PUBLIC RECORDS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 107.

Voting in the negative: None.

Excused absences: Representatives Arnold, Blue, Brubaker, Esposito, Gray, Hiatt, Howard, Hunter, McLawhorn, Smith, and Womble - 11.

**H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNER-SHIP INCOME TAX CREDITS.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Finance.

**H.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NON-RESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS.

Representative Shubert offers Amendment No. 2 which is adopted by electronic vote (89-17)

The bill, as amended, passes its third reading by electronic vote (108-3), and is ordered engrossed and sent to the Senate.

### **STATE BOARD OF COMMUNITY COLLEGES ELECTION**

Representative McLawhorn, Chair of the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, makes the following report concerning the State Board of Community Colleges election.

Thomas E. Norman received 74 votes; Dr. Bill H. Davis, Jr., received 24 votes; Thomas C. King received 11 votes; Jimmy L. Moore received three votes; Addison Neal Smith received no votes.

On motion of Representative McLawhorn, and pursuant to Article VI, Section 5 of the North Carolina Constitution, Thomas E. Norman is elected by acclamation to the State Board of Community Colleges for a six-year term, beginning July 1, 2001.

On motion of Representative McLawhorn, and pursuant to G.S. 115D-2.1(b)(4)f, the foregoing action taken by the House of Representatives is confirmed by electronic vote (111-0).

The Senate is so notified of the action taken by Special Message.

**BILL RECALLED FROM SENATE**

On motion of Representative Culpepper, **H.B. 575**, A BILL TO BE ENTITLED AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF, is recalled from the Senate.

On motion of Representative Culpepper, the vote by which the bill passed its third reading is reconsidered.

On motion of Representative Culpepper, the vote by which the bill passed its second reading is reconsidered.

The bill is before the Body on its second roll call reading.

The bill passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Blue, Brubaker, Esposito, Gray, Hiatt, Howard, and Hunter - 7.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 311**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE

March 22, 2001

ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW, is withdrawn from the Committee on Military, Veterans and Indian Affairs and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 635**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, is withdrawn from the Committee on Finance and re-referred to the Committee on Public Health and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 45**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF OFFENSES INVOLVING DRIVING AWAY WITHOUT PAYING FOR GASOLINE OR MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSE SUSPENDED, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 597**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Earle, the House adjourns at 2:31 p.m. to reconvene Monday, March 26, 2001, at 6:30 p.m.

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## THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Monday, March 26, 2001

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

March 26, 2001

"Almighty God, You have promised Your power and presence to all who turn to You. In this moment of prayer, as we direct our thoughts and our very lives toward You, we ask that Your creative Spirit would move upon us. Implant within us Your words of wisdom that we might judge rightly the problems and possibilities we will face this week. Empower us with Your strength as we stand for what is right, that we might not succumb to the temptation to abandon our values. Embolden us to speak for those whose voices often are unheard and whose lives are often unseen, those who seem least and last in society, so that everyone might be represented in our midst. Inspire us, O God, not only to be agents of this State, but agents of Your love and mercy as well. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Barbee, Brubaker, Cole, Dockham, Fitch, Gray, Hiatt, Hunter, Nesbitt, Pope, and Thompson for today.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 168**, AN ACT TO UPDATE THE PENALTIES AND ENFORCEMENT PROVISIONS IN THE HMO LAWS. (S.L. 2001-5)

**H.B. 175**, AN ACT EXTENDING THE CITY OF ROCKINGHAM'S EXTRATERRITORIAL JURISDICTION. (S.L. 2001-6)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 495**, A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, with a favorable report as



to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 332**, A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENERGY IMPROVEMENT PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 374**, A BILL TO BE ENTITLED AN ACT TO GRANT THE STATE BOXING COMMISSION THE AUTHORITY TO REGULATE WRESTLING AND MIXED MARTIAL ARTS EVENTS, TO AMEND THE LAWS REGULATING BOXING, AND TO ALLOW THE COMMISSION TO INCREASE CERTAIN FEES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 142**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES AND TO REQUIRE THAT THOSE PERSONS BE REGISTERED WITH THE SECRETARY OF STATE; TO REQUIRE JUDICIAL APPROVAL BEFORE A TWELVE-OR THIRTEEN-YEAR-OLD APPLICANT MAY BE MARRIED; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN

THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Barefoot, Chair, for the Committee on Cultural Resources:

**H.B. 366**, A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S CONSERVATION LAB TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART AND TO CHARGE A FEE FOR THIS SERVICE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 424**, A BILL TO BE ENTITLED AN ACT ALLOWING THE DEPARTMENT OF CULTURAL RESOURCES TO CHARGE AN ADMISSION FEE TO ANY MUSEUM, HISTORIC PROPERTY, OR OTHER LOCATION OR EVENT ADMINISTERED BY THE DEPARTMENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representative Thompson:

**H.B. 750**, A BILL TO BE ENTITLED AN ACT RELATING TO AVERY COUNTY OCCUPANCY TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allen, Alexander, Bowie, Buchanan, Cansler, Cox, Cunningham, Dedmon, Earle, Edwards, Gibson, Hurley, Morris, Rogers, Wainwright, Walend, and Wright:

**H.B. 751**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHARMACY PRACTICE ACT BY AUTHORIZING THE BOARD TO ESTABLISH REGISTRATION CRITERIA FOR PHARMACY TECHNICIANS, is referred to the Committee on Finance.

By Representatives Jeffus, Bowie, and Jarrell:

**H.B. 752**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS, is referred to the Committee on Education.

By Representatives Jeffus and Sherrill (Primary Sponsors); Adams, Alexander, Barefoot, Boyd-McIntyre, Coates, Cox, Cunningham, Easterling, Esposito, Hall, Hill, Howard, Insko, Luebke, McAllister, McLawhorn, Morris, Nesbitt, Underhill, Wainwright, Walend, Warner, Weiss, and Womble:

**H.B. 753**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SEXUAL ASSAULT PROGRAMS AND SEXUAL ASSAULT PREVENTION, is referred to the Committee on Appropriations.

By Representative Sexton:

**H.B. 754**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sexton:

**H.B. 755**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Rogers and Culpepper:

**H.B. 756**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE WASHINGTON TRANSFER TAX, is referred to the Committee on Finance.

By Representatives Rogers and Culpepper:

**H.B. 757**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, is referred to the Committee on Finance.

By Representatives Womble, Decker, Gray, Oldham, and Sexton:

**H.J.R. 758**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES CALLOWAY "C.C." ROSS, CIVIC LEADER, BUSINESS OWNER, POLITICIAN, AND EDUCATOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weiss, Blust, Cox, Morris, and Shubert:

**H.B. 759**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HARLEY OWNERS' GROUP" SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representatives Hurley, Alexander, Barefoot, Cox, Lucas, Smith, Wainwright, Warner, and Womble:

**H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER, is referred to the Committee on Insurance.

By Representative Cole:

**H.B. 761**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CASWELL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

**H.B. 762**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF BURLINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cole:

**H.B. 763**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell, Allen, Allred, Arnold, Barbee, Barnhart, Blust, Bowie, Brubaker, Buchanan, Cansler, Capps, Carpenter, Clary, J. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Ellis, Fox, Gillespie, Grady, Gray, Gulley, Harrington, Hiatt, Hill, Hilton, Holmes, Howard, Hurley, Johnson, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Morris, Owens, Pope, Preston, Rayfield, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Walend, Walker, Warner, Weatherly, West, C. Wilson, and G. Wilson:

**H.B. 764**, A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, REFORMING THE BUDGET PROCESS, AND ESTABLISHING AN EMERGENCY RESERVE TRUST FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Fox:

**H.B. 765**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VANCE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX AND TO MAKE OTHER CHANGES TO THE VANCE COUNTY ROOM OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Justus:

**H.B. 766**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 50TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Justus:

**H.B. 767**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 50TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Owens:

**H.B. 768**, A BILL TO BE ENTITLED AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE TRAFFIC STATUTES, is referred to the Committee on Local Government II.

By Representatives Hill, Barefoot, and Wainwright:

**H.B. 769**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AGRICULTURAL FAIRS ADVISORY COUNCIL AND TO APPROPRIATE FUNDS FOR GRANTS FOR LOCAL AGRICULTURAL FAIRS, is referred to the Committee on Agriculture and, if favorable, to the Committee on Appropriations.

By Representatives Hill, Redwine, and Wright:

**H.B. 770**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF CERRO GORDO AS MATCHING FUNDS FOR A FEDERAL GRANT TO REMODEL THE TOWN HALL, is referred to the Committee on Appropriations.

By Representatives Edwards and Barefoot:

**H.J.R. 771**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDMUND HARDING AND COMMEMORATING THE TERCENTENARY OF THE FOUNDING OF BATH, FIRST TOWN IN THE COLONY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Edwards, Insko, Luebke, Wainwright, and Weiss:

**H.B. 772**, A BILL TO BE ENTITLED AN ACT TO DISCOURAGE LITTERING AND TO ENCOURAGE RECYCLING BY REQUIRING A DEPOSIT ON BEVERAGE CONTAINERS AND REQUIRING RETAILERS, REDEMPTION CENTERS, AND DISTRIBUTORS TO ACCEPT RETURNED BEVERAGE CONTAINERS AND REFUND THE DEPOSITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walker and Holmes:

**H.B. 773**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM, is referred to the Committee on Finance.

By Representative Morris:

**H.B. 774**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOW DRIVERS SHALL OPERATE THEIR MOTOR VEHICLES WHEN PASSING PARKED EMERGENCY VEHICLES THAT HAVE THEIR EMERGENCY LIGHTS ILLUMINATED, is referred to the Committee on Judiciary III.

By Representatives Morris and McAllister (Primary Sponsors); and Hurley:

**H.B. 775**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CUMBERLAND COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX TO BE USED ONLY FOR PUBLIC SCHOOL AND OTHER CAPITAL IMPROVEMENT PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morris:

**H.B. 776**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING OF A PROPOSED CAPE FEAR RIVER AQUARIUM, is referred to the Committee on Appropriations.

By Representatives Harrington, Barefoot, Clary, Hilton, Kiser, Rayfield, and Weatherly:

**H.B. 777**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GASTONIA FIREMEN'S SUPPLEMENTARY PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representative Warwick:

**H.B. 778**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 779**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 780**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 781**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 782**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 783**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 784**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SAMPSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 785**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF PENDER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 786**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ONSLOW, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representatives Wainwright and Underhill:

**H.B. 787**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE HISTORY EDUCATION AND VISITOR CENTER AT THE TRYON PALACE HISTORIC SITES AND GARDENS, is referred to the Committee on Appropriations.

By Representative Wainwright:

**H.B. 788**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR UNCOMPENSATED PRENATAL CARE FOR NON-MEDICAID, LOW-INCOME PATIENTS SERVED BY LOCAL HEALTH DEPARTMENTS, is referred to the Committee on Appropriations.

By Representatives Starnes and Hilton:

**H.B. 789**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FURNITURE" SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representative Starnes:

**H.B. 790**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE AMOUNTS ON DEFINED MOTOR VEHICLE ACCIDENTS, is referred to the Committee on Insurance.

By Representative Starnes:

**H.B. 791**, A BILL TO BE ENTITLED AN ACT TO ALLOW MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO BE USED FOR PURPOSES ASSOCIATED WITH EMERGENCY RESPONSE, is referred to the Committee on Public Utilities.

By Representative Starnes:

**H.B. 792**, A BILL TO BE ENTITLED AN ACT DEFINING EXTRATERRITORIAL BOUNDARIES IN JURISDICTIONS WITH COUNTYWIDE ZONING, is referred to the Committee on Judiciary I.

By Representatives Starnes and Hilton:

**H.B. 793**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSES OF INDECENT BEHAVIOR BETWEEN MINORS

FOR THE PURPOSE OF PRODUCING INDECENT PHOTOGRAPHS OR OTHER ELECTRONIC VISUAL MATERIALS AND DISSEMINATION OF INDECENT MATERIALS BY MINORS, is referred to the Committee on Judiciary I.

By Representatives Starnes and Thompson:

**H.B. 794**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM ACROSS THE RIGHT-OF-WAY OF A PUBLIC ROAD IN CALDWELL COUNTY FOR THE PURPOSE OF TARGET PRACTICE, is referred to the Committee on Judiciary I.

By Representatives Gillespie, Barbee, Barnhart, Cansler, Capps, Carpenter, Church, Clary, Daughtry, Davis, Decker, Eddins, Ellis, Harrington, Hiatt, Hill, Hilton, Howard, Johnson, Morris, Preston, Rayfield, Setzer, Shubert, Starnes, Teague, Walend, Walker, West, C. Wilson, and G. Wilson:

**H.B. 795**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "CHOOSE LIFE" SPECIAL LICENSE PLATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye, Cox, and Warwick:

**H.B. 796**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CURRENT SALES TAX TREATMENT FOR FARM MACHINERY AND EQUIPMENT ALSO APPLIES TO BALERS, is referred to the Committee on Finance.

By Representatives Nye, Cox, Insko, and Wainwright:

**H.B. 797**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE TRAINING TO AREA PROGRAM BOARDS, is referred to the Committee on Appropriations.

By Representatives Eddins, Capps, Cox, Davis, Hilton, and Shubert:

**H.B. 798**, A BILL TO BE ENTITLED AN ACT TO PROVIDE CRIME VICTIMS WITH A CAUSE OF ACTION TO RECOVER PROFITS RECEIVED AS A RESULT OF THE CRIMES COMMITTED AGAINST THEM, is referred to the Committee on Judiciary I.

By Representative Haire:

**H.B. 799**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HAYWOOD COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR INFRASTRUCTURE AND CAPITAL IMPROVEMENT PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 800**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 801**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 802**, A BILL TO BE ENTITLED AN ACT CONCERNING DARE COUNTY UTILITY UNDERGROUNDING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Church, Alexander, Allen, Allred, Baddour, Buchanan, Cansler, Cole, J. Crawford, Culpepper, Fitch, Fox, Harrington, Hill, Jarrell, Kiser, Luebke, McLawhorn, Michaux, Morgan, Owens, Starnes, Wainwright, Warner, and G. Wilson:

**H.B. 803**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE SAVINGS INSTITUTION DIVISION TO THE STATE BANKING COMMISSION; TO AUTHORIZE ADDITIONAL DEPUTY COMMISSIONERS; TO MERGE THE SAVINGS INSTITUTIONS COMMISSION WITH THE STATE BANKING COMMISSION; TO REQUIRE THE COMMISSIONER TO REPORT TO THE GENERAL ASSEMBLY; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTES, is referred to the Committee on Financial Institutions.

By Representatives Underhill and Wainwright:

**H.B. 804**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY AND PAMLICO COUNTY TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION, is referred to the Committee on Local Government I.

By Representatives Insko and Hackney:

**H.B. 805**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PSYCHIATRY AT THE UNC SCHOOL OF MEDICINE FOR INPATIENT TREATMENT OF INDIGENT PATIENTS IN ORANGE, PERSON, AND CHATHAM COUNTIES, is referred to the Committee on Appropriations.

By Representatives Allred and Cole (Primary Sponsors) (By Request):

**H.B. 806**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN LICENSED HEATING CONTRACTORS TO INSTALL AIR CONDITIONING SYSTEMS IF NO INDIVIDUAL UNIT IN THE SYSTEM EXCEEDS FIFTEEN TONS, is referred to the Committee on Ways and Means.

By Representative McLawhorn:

**H.B. 807**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE, is referred to the Committee on Finance.

By Representatives Alexander, Adams, Baddour, Barefoot, Bell, Blue, Boyd-McIntyre, Buchanan, Church, Cole, Cox, J. Crawford, Cunningham, Davis, Earle, Easterling, Fitch, Fox, Goodwin, Hackney, Haire, Hall, Hill, Holliman, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, Michaux, Nesbitt, Oldham, Russell, Saunders, Tolson, Wainwright, Warner, Weiss, G. Wilson, Womble, and Yongue:

**H.B. 808**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander, Cunningham, Earle, Easterling, Gulley, Harrington, McMahan, Rayfield, and C. Wilson:

**H.B. 809**, A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRA-TERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Transportation.

By Representatives Alexander, Boyd-McIntyre, Cunningham, Earle, Easterling, Gulley, Harrington, Insko, Jarrell, McMahan, Rayfield, Saunders, Wainwright, and C. Wilson:

**H.B. 810**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES, is referred to the Committee on Local Government I.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 12** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO USE CERTIFIED ANNUAL POPULATION ESTIMATES RATHER THAN THE DECENNIAL CENSUS WHEN DETERMINING ELIGIBILITY FOR INCORPORATION OF NEW MUNICIPALITIES WHICH ARE IN PROXIMITY TO EXISTING MUNICIPALITIES, is read the first time and referred to the Committee on Ways and Means.

**S.B. 98** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE STUDY COMMISSION ON CHILDREN WITH SPECIAL NEEDS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 210** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES THAT HAVE ENTERED INTO ANNEXATION AGREEMENTS TO ANNEX CERTAIN NONCONTIGUOUS AREAS WITHOUT COMPLYING WITH GENERAL ANNEXATION STANDARDS, is read the first time and referred to the Committee on State Government.

**S.B. 243** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND TOWNS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 259**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SECURITIES DEALER REGISTRATION STATUTES TO ABOLISH THE CHURCH BOND DEALER RESTRICTION, is read the first time and referred to the Committee on Judiciary II.

### **SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
March 22, 2001

Mr. Speaker:

Pursuant to G.S. 115D-2.1(b)(4)f., and **H.J.R. 228**, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES, it is ordered that a message be sent to your honorable body notifying you that the Senate has elected the following members to the State Board of Community Colleges:

Mr. G. Gordon Greenwood for a six-year term effective July 1, 2001, and ending June 30, 2007; and

Mr. James Woody, Jr. to an unexpired term effective immediately and ending June 30, 2005.

Respectfully,  
S/ Janet B. Pruitt  
Principal Clerk

### **CALENDAR**

Action is taken on the following:

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY AND THE TOWNS OF INDIAN BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

March 26, 2001

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Cansler, Carpenter, Coates, Cox, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Nye, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 86.

Voting in the negative: Representatives Baker, Capps, Davis, Eddins, Gillespie, Hensley, Kiser, and Starnes - 8.

Excused absences: Representatives Arnold, Barbee, Brubaker, Cole, Dockham, Fitch, Gray, Hiatt, Hunter, Nesbitt, Pope, and Thompson - 12.

Representative Oldham requests and is granted permission to be recorded as voting "aye". Representative Insko is recorded as not voting. The adjusted vote total is (86-8).

**H.B. 575**, A BILL TO BE ENTITLED AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Buchanan, Cansler, Capps, Carpenter, Coates, Cox, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Hurley, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: None.

Excused absences: Representatives Arnold, Barbee, Brubaker, Cole, Dockham, Fitch, Gray, Hiatt, Hunter, Nesbitt, Pope, and Thompson - 12.

### INTRODUCTION OF PAGES

Pages for the week of March 26 are introduced to the membership. They are: Melissa Bullock of Rowan; Rebecca Dilday of Pitt; Arthur Goudey of Wake; Holli Harrison of Alamance; Joy Inman of McDowell; Ron Jailall of Johnston; Jessica Lucas of Onslow; Harold Lusk, Jr., of Yancey; Christopher McLawhorn of Pitt; Jenna McMillan of Guilford; Talon McMillan of Guilford; Katie Phillips of Mitchell; Raestarsha Rembert of Guilford; Amanda Smith of Mitchell, Dora Smith of Mitchell; Emily Troutman of Lee; and Jemi West of Durham.

Representative Culpepper moves, seconded by Representative Alexander, that the House adjourn, upon dissolution of the Joint Session, to reconvene March 27 at 2:30 p.m.

The motion carries.

### ESCORT COMMITTEE ANNOUNCED

The Speaker appoints the following members as an Escort Committee for the Chief Justice: Representatives Baddour, Hackney, Daughtry, Sherrill, Earle, Cunningham, Justus, and Morgan.

The Senate is so notified by Special Message.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session at the hour appointed.

### 2001 GENERAL ASSEMBLY FIRST SESSION

### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
March 26, 2001

Mr. Speaker:

Pursuant to **H.J.R. 376** (Committee Substitute), A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE

March 26, 2001



OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the President Pro Tempore appoints the following Senators as a committee on the part of the Senate to escort the Chief Justice to the Joint Session in the Hall of the House of Representatives Monday, March 26, 2001, at 7:00 P.M.:

Senator Soles, Chair  
Senator Ballance  
Senator Rand  
Senator Ballantine  
Senator Garrou  
Senator Clodfelter  
Senator Horton

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
March 26, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **H.J.R. 376** (Committee Substitute), A JOINT RESOLUTION INVITING THE HONORABLE I. BEVERLY LAKE, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**JOINT SESSION**

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival

March 26, 2001

of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable Beverly E. Perdue, is seated to the right of the Speaker.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Judge, and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Associate Justices of the Supreme Court, who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the floor to the members of the Judiciary, and to all invited guests.

The Speaker of the House relinquishes the gavel to the President of the Senate. The Joint Session is called to order by the President.

The Sergeant-at-Arms announces the approach of the Chief Justice of the Supreme Court. His Honor, I. Beverly Lake, Jr., enters escorted by Senators Soles, Ballance, Rand, Ballantine, Garrou, Clodfelter, and Horton; and Representatives Baddour, Hackney, Daughtry, Sherrill, Earle, Justus, Morgan, and Cunningham.

The President recognizes Senator Soles who presents His Honor, I. Beverly Lake, Jr., Chief Justice of the Supreme Court of North Carolina to the Joint Assembly.

### **STATE OF THE JUDICIARY ADDRESS**

"Thank you all for that wonderful welcome. It's almost like an old timey homecoming. I appreciate it.

"Lieutenant Governor Perdue, Speaker Black, President Pro Tem Basnight, Members of this General Assembly, distinguished guests, ladies and gentlemen: Thank you for the invitation tonight to share with you the progress and overall status of North Carolina's Third Branch of Government, our Judicial Branch. It is indeed an honor for me to be given the privilege of entering this chamber to address a joint session of this General Assembly.

"If I may, I would like to begin on a point of personal privilege. Twenty-four years ago, I was given another honor which I greatly cherish. The people of Wake, Harnett, and Lee Counties made me a Member of this

March 26, 2001

General Assembly. Because of my years here, I know how hard you work, the burdens of your constituent service and what a great overall joy it is to represent and serve as you do all the people of North Carolina. There are six members of this Assembly who were here and served with me when I was a member. I served with some great people during my years here, and these six are still here and serving. They are: Senator Plyler, Senator Soles, Representative Brubaker, Representative Easterling, Representative Holmes, and Representative Nye. I would like to pay a special tribute tonight to these six members who have rendered such long and laudable service to the State of North Carolina. Thank you.

"One of the primary goals which we have worked toward over the past several years, under the good leadership of our last two Chief Justices, has been the enhancement of the partnership which we share, wherein you make our laws and we apply them----consistent, hopefully with your intent, our Constitution and the Common Law. In working toward this real partnership goal, it is critical that we continue to improve the sense of partnership between the Legislative and the Judicial Branches. To this end, it is essential that we in the Judicial Branch be forthright and accurate in anticipating our needs and in communicating them to you. This I am committed to do.

"It is, I believe, reflective of this commitment that, in filling the very critical position of Director of our Administrative Office of the Courts, I chose Judge Robert Hobgood, a former member of this General Assembly. He has worked with you through the years and he is, as you know, a man in whom we all can have complete confidence and who will greatly enhance our partnership.

"Now, with that preliminary, I am pleased to report to you that tonight the State of the Judiciary is generally good and justice in North Carolina has improved, thanks in large part to the recent actions of this Body in moving our courts further into the technological age. This is the message reflected in our year 2000 Annual Report, which outlines a number of accomplishments and some of our concerns for the future. A copy of this report is hopefully before each one of you here tonight.

"As you well know, it is simply a fact of life that today we live or die by the computer. From the county magistrate's office to the Supreme Court, new technology saves valuable time, a great deal of money, and lives. Our law enforcement officers are back out on our streets more quickly, and our citizens don't have as long to wait for critical services at our 100 offices of clerk of court. The Clerk's Office of the Supreme Court is the first in the country to offer e-filing. Since its inception a year and a half ago, 88 briefs

have been filed with very substantial cost savings. We thank you for understanding our most critical court needs in the area of technology.

"In terms of case management and backlog, our courts are doing reasonably well in light of the continued, substantial increase in cases and petitions filed at all levels each day. I am pleased to report that at the end of the year 2000, the Supreme Court was current and today is able to set cases for oral argument without delay. Our Court of Appeals judges continue to work exceptionally hard, and they produce an incredible number of well-written opinions. Last year, 1592 appeals were filed with that court, and notwithstanding the election, the court disposed of 98% of them by written opinion. The Court of Appeals judges welcome the three new judgeships which you created last year. Our 105 Superior Court Judges across the State disposed of 285,408 cases last year, approximately 96% of the cases filed, and our 235 District Court Judges, incredibly, disposed of nearly 2.5 million cases, or 98% of the total cases filed.

"As you can see from these numbers, our trial judges, these 340 public servants, who like you are elected by our people, are doing a tremendous amount of work, and they are doing it exceptionally well. However, they are no longer able to keep pace with the incoming surge of people seeking help from our courts. In this regard, I would like to recall the words of former Chief Justice Burley Mitchell in his 1999 address to you, and I quote: 'Our trial courts are struggling but holding their own. They will not be able to do so much longer without help.'

"These words were prophetic, as was the report of the internationally respected Gartner Group, which warned of severe, pending problems due to lack of technology in our courthouses across the State. Your initial funding has already been used to begin a number of urgently needed and cost-effective programs. Now I emphasize 'to begin' because without additional or at least continuation funding, these programs will falter and fail, and the investment made to date in these programs will be lost.

"These programs include: Courtflow and Casewise computer systems enabling much more efficient management of cases; an Automated Judgment Abstracting System; and a Set-Off Debt Collection Program, which last year collected more than 2 million dollars for future indigent defendant representation by tracking the tax returns of former defendants still owing the State money.

"This is good news and a good beginning, but let me again recall the words of former Chief Justice Mitchell in his message two years ago. He stated: 'Many elements of the existing equipment, software and

communication vehicles are so old and outdated that we cannot begin to meet the needs of the various users across the State.' We need funding to purchase updated replacement technology, to maintain the new programs in which our partnership has invested, and to provide the training resources which we must have throughout the State.

"We are now, by evolution, committed to the course of technology. If you will pardon the analogy, we have launched our boat on a rapid river, which we now must follow. There is no turning back, and if we do not stay the course, we will founder. If we do that, it will cost the taxpayers of North Carolina many millions of dollars to relaunch and get back to where we are now and millions more to recover lost ground.

"Now, I fully understand the magnitude of our budget crisis, and we are doing our part to help. I implemented---implemented a hiring freeze, a hiring slowdown on March 1, and that is now a freeze. Additionally, we have taken steps to meet the request of the Office of State Budget to reduce our next year's budget by more than 3.6 million dollars. However, I would be remiss if I did not advise that this restriction on our budget---this cut---will deeply and severely impact our ability to serve the people of North Carolina.

"There are several items I must bring to your attention that are very pertinent as you consider the budget. Last year, we had more than forty positions with start dates other than July 1, and the continuation budget funding for these positions is for only part of a year. Thus, we are scrambling to find funds to pay these positions for a full year. For example, the three new Court of Appeals positions were budgeted on a continuation budget for only six months. We have new and essential courtroom space under construction that must receive basic equipment, such as telephone systems. Further, we were provided nonrecurring funds last year for items that are in fact recurring expenses, such as rent for the Business Court in Greensboro. This is a normal operating expense, necessary to sustain the work of the Business Court, which you authorized last session and which is making our overall court system much more efficient. We are in critical need of funding in these areas---just to remain open.

"Before this General Assembly convened, we had the State Judicial Council approve an expansion budget, which was carefully prioritized in accordance with absolute need. The highest category, setting forth our critical needs, calls for \$2,498,000 for fifteen new positions and basic support equipment. The next highest category calls for \$16,074,000 for 220

positions and basic support equipment. Now these are real priority needs of the Judicial Branch.

"Speaking of priority needs, let me cite you one example where we have been much less than cost efficient. It is not an infrequent occurrence for a Superior Court Judge to open court on a Monday morning for the call of the calendar and the trial of an important case. The attorneys are in place, the litigants are there, the witnesses are there, the clerk of court is there, and the courtroom is filled to overflowing with prospective jurors from all across the county. The case is ready to proceed----with one notable exception. There is no court reporter. The entire process disintegrates, not just for that one case, that one important case, but generally for the entire session of court.

"The damage for this kind of breakdown is measured not just in the cost of wasted time and resources, but also in the enormous amount of bad will and hostility generated and directed toward the court system by all of those citizens who have been made to waste a considerable amount of valuable time out of their lives. The cost of a court reporter is minimal compared to this. Also, the lack of sufficient court reporter time is probably the single factor most responsible for extreme delay in appellate review of cases. I urge you to give us at least four court reporters as a priority matter.

"Now, I would like to get away from the numbers and try to put a human face on our judicial system. Thanks to you, we now have in place, and operating well, a number of new programs designed to help individuals, families, and most important, our children. Most of these programs might be described broadly under the term 'therapeutic justice.' This simply means that litigants and those close to them normally spend more time receiving counseling and related services and less time in the courtroom. These innovations include such programs as drug treatment courts, family courts, sentencing services, custody mediation, arbitration, foreign language services and our Guardian Ad Litem Program.

"In just a few years, we have achieved some very positive results through our Drug Treatment Courts. As you know, the majority of criminal cases arising in our trial courts have a direct...have a direct connection with substance abuse. Since its inception, this court program has been giving many substance abusers the incentive to kick their destructive and often fatal habits. The Drug Treatment Courts require much more time and energy on the part of our judges and other court personnel than do ordinary courts. They are by all standards 'labor intensive.'

"The Family Courts are also very labor intensive, but in my opinion, they are well worth the extra investment. We began with three and now have eight Family Courts in operation. These kinder, family-friendly and more efficient courts are helping families resolve their conflicts through mediation and treatment programs, often without ever having to see a judge. This saves valuable court time and saves for other cases. When these cases do come to trial or court, since one judge hears all of the family's multiple issues, he or she has a much better grasp of the family's history and can make a much more appropriate resolution. Judge Paul McCoy reports that the program in Halifax County has been well received, with litigants much better satisfied with the outcome of their cases.

"With Sentencing Services, our judges are getting the information they need to improve and impose appropriate sentences that make the best use of available resources, again thanks to legislation passed by this Assembly last year.

"Our Custody Mediation Program is seeing significant success. When divorcing parents are in conflict, which is almost always the case, the children of the marriage, naturally, are the ones who suffer the most. The State's Custody Mediation Program provides the opportunity for parents to turn difficult situations into problem-solving opportunities. Last year, more than 2,000 couples ended their disputes and worked out parenting agreements through custody mediation offices. Judge Clarence Horton, Chairman of the Custody Mediation Advisory Committee, reports that 'divorced and separating parents across North Carolina have embraced the opportunity to resolve their own parenting issues through this program.'

"Likewise, we are seeing marked success in the area of arbitration. At least 70% of the people who go through arbitration find a quick resolution and are satisfied by the outcome of their case. About three fourths of the counties now have an arbitration program, and we would like to see it expanded statewide.

"Thanks to grants from the State Bar's IOLTA program, the Reynolds Foundation and the Governor's Crime Commission, our new Foreign Languages Service Project is off to a strong start, with our training programs producing an increasing number of certified court interpreters. Last year, this General Assembly authorized funds for interpreters for civil domestic violence cases, and in all types of cases, these interpreters are proving to be critical to the needs of our exploding Hispanic population. The time has come to make the Foreign Languages Services Project a permanent part of our court administration.

"Last year, you established a new, independent commission to develop guidelines and oversee the Indigent Defense Program. This kind of accountability was needed for many years. The Commission is charged with overseeing the 60 plus million dollar indigent defense budget and developing control regulations. The right to an attorney, especially for the poor and less advantaged, is one of the pillars of our judicial heritage. The goal of the Office of Indigent Defense Services is twofold: to improve the quality of services for indigent defendants and to control the cost of these services. I urge your continued support of this important program.

"One of the finest examples of your proactive, people-oriented court system is seen in our Guardian Ad Litem Program. This program makes a tremendous difference in the lives of literally thousands of our children each year. During the last fiscal year, this program provided essential representation to 15,364 children through more than 3,500 volunteers and 99 attorneys.

"These many services, which are provided by thousands of dedicated people each and every day, including Saturdays and Sundays, are making a real difference in the quality of life for all of the people of North Carolina. These services address the fundamental, personal problems so important to the daily lives of our people, and they are the responsibility of our judicial system, over and above our core constitutional mandate to give just and speedy resolution to all cases for trial in our courts.

"I want to emphasize one important factor in connection with the overall work of our courts and especially these service-oriented programs. Your judicial system, with almost three million cases filed each year, deals with and affects, on a daily basis, the lives of thousands of our most precious assets---our children. Our future, through the lives of these children, is directly impacted through our juvenile and domestic courts and the other programs I have mentioned. In this regard, I want to stress to you that each and every one of these children is just as important to the State of North Carolina as any child in our public schools or in Smart Start, and I submit to you they are much more at risk. We must not let them down by failing to fund their future.

"For many years now, our entire third branch of government, our Judicial Branch, has been required to operate with less, less than 3% of all funds available to the State of North Carolina. With that level of funding, we have not been able to meet adequately our constitutional responsibilities and expand our services as demanded by our growing population. Now, we find that with the current budget crisis, which we fully understand, we are being asked to curtail all critically needed expansion and even cut substantially



into our continuation budget. We recognize that we are being asked to do this while other programs in other areas are recommended for further substantial expansion. In this regard, I submit to you that there are at least three institutional areas within our government which should be close to sacrosanct, even in times of severe crisis. Our public schools should remain open and effective for all; our health-care facilities should remain open and available to all; and our halls of justice should be open, effective and accessible to all.

"In closing, let me mention one additional, substantial concern. As the Futures Commission of the Courts reported to us several years ago, and as we see even more clearly today, there is a growing lack of confidence and trust in our legal system, including our courts. Many in our society today have little---little or no confidence in the integrity of our legal system. In my opinion, this stems more from a lack of understanding, a lack of knowledge rather than personal experience. In any event, this is having a direct, negative impact on our ability as a society to continue to live together under the rule of law. If our laws and our courts are not respected because they are perceived to be discriminatory or dishonest, then we are moving inexorably toward a level of disorder and societal breakdown that law enforcement and our courts cannot address.

"In order to halt and reverse this sharp trend, we need to begin to better educate our people, particularly our young people, about the uniqueness and incredible value of the legal system which we enjoy and which has made this country the greatest nation in the history of mankind.

"In my opinion, the State of North Carolina should teach substantially more history and civics in our public schools, not less. Our young people simply cannot appreciate the value of that which they have no knowledge. I believe that 'The Greatest Generation,' about which Tom Brokaw so eloquently wrote, was that greatest generation, in our time of greatest need, because they were taught, and thus knew, our history, our governmental institutions and our traditional values. Without such knowledge, our next generation will not come through as that one did.

"I have discussed these concerns with my friend Mike Ward, our Superintendent of Public Instruction, and I believe he shares this view. I told him that I was willing to commit our Judicial Branch in a concerted effort to assist our schools, in ways that will cost no money, in teaching our young people to know and respect our system and our laws, the people that make them and the people that apply them. To this end, I ask your help so

that in working together we can remain One Nation Under God With Liberty and Justice For All.

"Thank you again for the opportunity to speak to you. I wish for each one of you a very successful legislative session and a very good evening. Thank you all."

Upon completion of his address, the Chief Justice, joined by the Escort Committee, leaves the Hall of the House.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate returns to its Chamber.

The House stands adjourned at 7:47 p.m.

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## **THIRTY-SIXTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, March 27, 2001

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Come, O God, and shine the light of Your eternal truth into our lives. May it brighten the hidden recesses of our souls that we might see clearly the motivations behind our actions and the impetus behind our words. In the enlightenment of authentic self-reflection, grant us grace to see and acknowledge what is impure about us. Give us strength to confess that which is unholy and unclean. As we bare our souls and open our hearts, illuminate us with Your refining presence. Cast out the shadows of doubt and fear that keep us from fully acting upon our convictions. Enlighten us with Your Spirit that we might clearly see the way that leads to life eternal. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Gray, and Pope for today.

### GUESTS

The Speaker appoints Representatives Baddour, Daughtry, McMahan, Morris, Blue, and Weiss to serve as an escort committee for the members of the 2001 McDonald's All-American High School Basketball Team.

Representative Baddour introduces the members of the teams and their coaches to the Body.

### EAST TEAM

<u>Player</u>	<u>City/State</u>
Carlos Hurt	Louisville, Kentucky
Chris Thomas	Indianapolis, Indiana
Maurice Williams	Jackson, Mississippi
Rashaad Carruth	Mouth of Wilson, Virginia
Dajuan Wagner	Camden, New Jersey
Julius Hodge	Bronx, New York
Anthony Richardson	Raleigh, North Carolina
James White	Chatham, Virginia
Kwame Brown	Brunswick, Georgia
Ousmane Cisse	Montgomery, Alabama
David Harrison	Brentwood, Tennessee
DeSagana Diop	Mouth of Wilson, Virginia
Jerry Faulkner, Head Coach	Charlotte, North Carolina
Donay Fullwood, Assistant Coach	Charlotte, North Carolina
Howard West, Assistant Coach	Winston-Salem, North Carolina

### WEST TEAM

<u>Player</u>	<u>City/State</u>
Terrance Ford	Houston, Texas
Aaron Miles	Portland, Oregon
Cedric Bozeman	Santa Ana, California
Daniel Ewing	Houston, Texas
Kelvin Torbert	Flint, Michigan
Josh Childress	Lakewood, California
Jawad Williams	Lakewood, Ohio
David Lee	Saint Louis, Missouri
Rick Rickert	Duluth, Minnesota
Wayne Simien	Leavenworth, Kansas
Tyson Chandler	Compton, California
Eddy Curry	South Holland, Illinois
Robert Hughes, Head Coach	Fort Worth, Texas

Leandros Rambo, Assistant Coach           Forth Worth, Texas  
Charles Hickman, Assistant Coach       Forth Worth, Texas

Anthony Richardson presents signed basketballs to Speaker Black, Representative Baddour, and Representative Daughtry.

The committee escorts the team from the Chamber.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 42**, A BILL TO BE ENTITLED AN ACT TO REDUCE PROPERTY TAXES ON HOMESTEAD PROPERTY AND TO ALLOW MORE INDIVIDUALS TO QUALIFY FOR THE HOMESTEAD TAX REDUCTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 28. The original bill is placed on the Unfavorable Calendar.

**H.B. 556**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LEXINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 28.

**H.B. 602**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 28.

**H.B. 633**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 28.

**H.B. 671**, A BILL TO BE ENTITLED AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 28.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 447**, A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF NORWOOD AND STAGGERING THOSE TERMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 28.

**H.B. 597**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 28. The original bill is placed on the Unfavorable Calendar.

By Representatives Hunter and Boyd-McIntyre, Chairs, for the Committee on Children, Youth and Families:

**H.B. 456**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON THE INVESTIGATION OF CHILD ABUSE AND NEGLECT IN CHILD CARE FACILITIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Carpenter:

**H.B. 811**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MADISON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

**H.B. 812**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HAYWOOD AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

**H.B. 813**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GRAHAM AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

**H.B. 814**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF JACKSON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Carpenter:

**H.B. 815**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF SWAIN AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin and Barefoot:

**H.R. 816**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSEY GUY DEWITT AND RECOGNIZING NORTH CAROLINA AS THE NASCAR STOCK CAR RACING CAPITAL OF THE WORLD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 817**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RICHMOND AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 818**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RICHMOND AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 819**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM, is referred to the Committee on Judiciary I.

By Representative Haire:

**H.B. 820**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SWAIN COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye and Barefoot:

**H.B. 821**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF THE FINANCIAL RESPONSIBILITY OF INEXPERIENCED DRIVERS, is referred to the Committee on Transportation and, if favorable, to the Committee on Rules, Calendar and Operations of the House.

By Representatives Decker, Blust, and Bowie:

**H.B. 822**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF OAK RIDGE, is referred to the Committee on Finance.

By Representatives Decker, Barbee, Barnhart, Blust, Bowie, Cansler, Capps, Carpenter, Davis, Dockham, Eddins, Ellis, Esposito, Gibson, Gillespie, Harrington, Hiatt, Hilton, Howard, Johnson, Justus, Kiser,

McComas, McCombs, Miner, Morris, Nye, Preston, Russell, Setzer, Sexton, Shubert, Smith, Starnes, Walend, Walker, Warwick, Weatherly, West, C. Wilson, and G. Wilson:

**H.B. 823**, A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRACURRICULAR ACTIVITIES AT PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Cox:

**H.B. 824**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSTALLATION OF AN ACCESSIBLE CLEANOUT AT THE JUNCTION OF THE PUBLIC SEWER LINE AND THE HOUSE OR BUILDING SEWER LINE, is referred to the Committee on Public Utilities.

By Representative Cox:

**H.B. 825**, A BILL TO BE ENTITLED AN ACT TO ALLOW CORRECTIONAL OFFICERS AND PROBATION/PAROLE OFFICERS OF THE DEPARTMENT OF CORRECTION TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-EIGHT YEARS OF SERVICE, is referred to the Committee on Pensions and Retirement.

By Representative Culpepper:

**H.B. 826**, A BILL TO BE ENTITLED AN ACT CONCERNING THE DARE OCCUPANCY TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

**H.B. 827**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF JAMESTOWN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

**H.B. 828**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF HIGH POINT, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Boyd-McIntyre:

**H.B. 829**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF GREENSBORO, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

**H.B. 830**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF GUILFORD, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**S.B. 394**, A BILL TO BE ENTITLED AN ACT TO APPOINT THE STATE PRINCIPAL OF THE YEAR TO THE STATE BOARD OF EDUCATION AS AN ADVISORY MEMBER, is read the first time and referred to the Committee on Education.

### CALENDAR

Action is taken on the following:

**S.B. 138**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE MOUNT AIRY TOURISM DEVELOPMENT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 237**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MANUFACTURED HOMES NEED NOT HAVE MULTIPLE SECTIONS TO QUALIFY AS REAL PROPERTY FOR

PROPERTY TAX PURPOSES, AND TO REQUIRE AN OWNER TO SURRENDER CERTIFICATE OF TITLE WHEN THE MANUFACTURED HOME BECOMES REAL PROPERTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: Representative Walker.

Excused absences: Representatives Barbee, Gray, and Pope - 3.

**H.B. 15** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A SCHOOL SYSTEM AND AMEND THE RECOMMENDED SCHOOL CLASSIFICATIONS BY ADDING THE DEFINITION OF THE TERM "MIDDLE SCHOOL", passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS.

On motion of Representative McAllister and without objection, the bill is postponed until March 28.

**H.B. 275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER

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CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES.

On motion of Representative Baddour, the bill is withdrawn from the Calendar and re-referred to the Committee on Health.

**H.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILES TO SUBMIT REQUESTS FOR REVIEW OF EXTENDED COMMITMENT DECISIONS WITHIN FIFTEEN DAYS OF RECEIPT OF THE NOTIFICATION OF EXTENDED COMMITMENT AND TO REQUIRE THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES IN THE JUVENILE CODE.

On motion of Representative Haire, the bill is postponed until March 28.

**H.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATE TREASURER'S INVESTMENT AUTHORITY.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading, by electronic vote (114-0) and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 598**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO CONTRACT WITH PRIVATE INDIVIDUALS TO PERFORM BUILDING INSPECTIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 28. The original bill is placed on the Unfavorable Calendar.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 504**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MATTHEWS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Shubert, the House adjourns at 4:12 p.m. to reconvene March 28 at 3:00 p.m.

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## THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, March 28, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, You seek to be in relationship with us and You expectantly await our approach to You. But often we fail to do our part. We allow ourselves to become too busy and distracted and we neglect to nurture the intimate relationship You offer to us. With a diminished sense of connectedness with You, we are less able to discern Your call upon our lives, we miss opportunities to speak words of encouragement to persons in need around

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us, and we fail to act upon our foundations of faith. Forgive us for not making time for You. Renew our sense of interdependence upon You. For it is only in Your love and with Your guidance that we can truly see and serve the good for all people. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Barbee for today. Representative Gibson is excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 85**, AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO COLLABORATE WITH OTHER GOVERNMENT AND NONPROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 138**, AN ACT TO MODIFY THE MEMBERSHIP OF THE MOUNT AIRY TOURISM DEVELOPMENT AUTHORITY.

**S.B. 237**, AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 212**, AN ACT TO ALLOW CERTAIN MUNICIPALITIES IN NEW HANOVER COUNTY TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 93**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON CAUSES OR FALSELY REPORTS SYMPTOMS TO OBTAIN OTHERWISE UNNEEDED MEDICAL CARE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 593**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 105**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 29. The original bill is placed on the Unfavorable Calendar.

**H.B. 436**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE ELECTROLYSIS PRACTICE ACT RELATING TO FEES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 668**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH MEDIATED SETTLEMENT PROCEDURES IN DISTRICT COURT ACTIONS INVOLVING FAMILY FINANCIAL ISSUES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**H.B. 216**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE MEDICAID COVERAGE TO ADULT DAY HEALTH SERVICES CLIENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**S.B. 118** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NON-RESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 69**, A BILL TO BE ENTITLED AN ACT TO REPEAL, WITH A THREE-YEAR PHASEOUT, THE ANNUAL TRANSFER OF ONE HUNDRED SEVENTY MILLION DOLLARS IN HIGHWAY USE TAX COLLECTIONS FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND FOR THREE YEARS AND TO PROVIDE THAT THOSE FUNDS SHALL BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 651**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of March 29. The original bill is placed on the Unfavorable Calendar.

**H.B. 656**, A BILL TO BE ENTITLED AN ACT TO ALLOW JOHNNY S. MYERS TO CONVEY CERTAIN PROPERTY TO THE COUNTY OF YADKIN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 29.

**H.B. 683**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE PLYMOUTH TOWN COUNCIL ELECTED FROM A WARD ARE VOTED ON ONLY WITHIN THAT WARD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 29.

**H.B. 699**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CAMDEN COUNTY BOARD OF EDUCATION



IN THE GENERAL ELECTION ON A NONPARTISAN BASIS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of March 29.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Alexander and Luebke:

**H.B. 831**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATION OF ELECTIONS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Jarrell:

**H.B. 832**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE DIETETICS/NUTRITION PRACTICE ACT AND TO AUTHORIZE THE BOARD OF DIETETICS/NUTRITION TO INCREASE FEES, is referred to the Committee on Finance.

By Representatives McLawhorn, Allen, Barefoot, Bonner, Edwards, Hill, Lucas, Luebke, Rogers, Underhill, Wainwright, Warren, Weiss, and Yongue:

**H.J.R. 833**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN LAWSON ON THE 300TH ANNIVERSARY OF HIS FIFTY-SEVEN DAY FIVE HUNDRED FIFTY-MILE TREK THROUGH THE BACKCOUNTRY OF THE CAROLINAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

**H.B. 834**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, is referred to the Committee on Finance.

By Representatives Russell, Barefoot, and Yongue:

**H.B. 835**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANT OPERATION SECTION OF THE DEPARTMENT OF PUBLIC INSTRUCTION, is referred to the Committee on Appropriations.

By Representatives Miller, Luebke, and Weiss:

**H.B. 836**, A BILL TO BE ENTITLED AN ACT AMENDING PROVISIONS OF THE CHARTER OF THE CITY OF DURHAM RELATED TO DEVELOPMENT AND SITE PLANS, ZONING AUTHORITY, AND CAPITAL FACILITIES FEES, is referred to the Committee on Finance.

By Representative Alexander:

**H.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES, is referred to the Committee on Public Health.

By Representative Eddins:

**H.B. 838**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, is referred to the Committee on Finance.

By Representative Nye:

**H.B. 839**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BLADEN COUNTY TO LEVY A ONE-CENT LOCAL SALES AND USE TAX FOR PUBLIC SCHOOL BUILDINGS, IF APPROVED BY THE VOTERS OF THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Hackney (Primary Sponsors):

**H.B. 840**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FORESTRY PILOT PROGRAM THAT PROMOTES COLLABORATIVE EFFORTS AMONG COUNTIES, LOCAL SOIL AND WATER CONSERVATION DISTRICTS, AND THE DIVISION OF FOREST RESOURCES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, is referred to the Committee on Environment and Natural Resources.

## CALENDAR

Action is taken on the following:

March 28, 2001

**H.B. 556**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LEXINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Carpenter, Church, Clary, Coates, Cole, J. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Oldham, Owens, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, Womble, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Baker, Blust, Capps, Cox, Daughtry, Eddins, Gillespie, Hiatt, Justus, Kiser, Nye, Pope, Warwick, and G. Wilson - 15.

Excused absence: Representative Barbee.

Representative Creech requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (97-16).

**H.B. 602**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan,

Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 117.

Voting in the negative: None.

Excused absence: Representative Barbee.

**H.B. 633**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representatives Eddins and Ellis - 2.

Excused absence: Representative Barbee.

**H.B. 671**, A BILL TO BE ENTITLED AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler,

Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: Representatives Ellis and Hilton - 2.

Excused absence: Representative Barbee.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 196**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE RESTORATION OF THE FAIR BARN IN THE VILLAGE OF PINEHURST FROM THE PUBLIC BIDDING LAWS, passes its second reading and there being no objection is read a third time.

A division having been called, the bill passes its third reading by electronic vote (96-19), and is ordered sent to the Senate by Special Message.

**H.B. 423** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS, passes its second reading and there being no objection is read a third time.

A division having been called, the bill passes its third reading, by electronic vote (96-19), and is ordered sent to the Senate by Special Message.

**H.B. 447**, A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF NORWOOD AND STAGGERING THOSE TERMS, passes its second reading and there being no objection is read a third time.

A division having been called, the bill passes its third reading, by electronic vote (96-19), and is ordered sent to the Senate by Special Message.

**H.B. 597** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES, passes its second reading and there being no objection is read a third time.

A division having been called, the bill passes its third reading by electronic vote (96-19), and is ordered sent to the Senate by Special Message.

**H.B. 42** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE PROPERTY TAX RELIEF TO LOW-INCOME ELDERLY AND DISABLED HOMEOWNERS BY EXPANDING THE EXCLUSION AMOUNT TO THE GREATER OF TWENTY THOUSAND DOLLARS OR FIFTY PERCENT OF THE PROPERTY'S TAX VALUE AND BY INCREASING THE INCOME ELIGIBILITY TO EIGHTEEN THOUSAND DOLLARS TO BE ADJUSTED BY A COLA PERCENTAGE, passes its second reading by electronic vote (117-0), and there being no objection is read a third time.

Representative Nesbitt states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". The request is granted. The adjusted vote total is (118-0).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MANUFACTURED HOMES NEED NOT HAVE MULTIPLE SECTIONS TO QUALIFY AS REAL PROPERTY FOR PROPERTY TAX PURPOSES, AND TO REQUIRE AN OWNER TO SURRENDER CERTIFICATE OF TITLE WHEN THE MANUFACTURED HOME BECOMES REAL PROPERTY, passes its third reading by the following vote and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell,

Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: Representative Walker.

Excused absence: Representative Barbee.

**H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS.

Representative McAllister offers Amendment No. 1 which is adopted by electronic vote (106-8).

Representative Hall requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (107-8).

The bill, as amended, passes its second reading, by electronic vote (84-31), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 85**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 142** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE

JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN-YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

Representative Sutton offers Amendment No. 1 which is adopted, by electronic vote (111-0).

The bill, as amended, passes its second reading by electronic vote (110-5).

Representative Pope objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT, passes its second reading by electronic vote (113-0).

Representative Redwine objects to the third reading. The bill remains on the Calendar.

**H.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILES TO SUBMIT REQUESTS FOR REVIEW OF EXTENDED COMMITMENT DECISIONS WITHIN FIFTEEN DAYS OF RECEIPT OF THE NOTIFICATION OF EXTENDED COMMITMENT AND TO REQUIRE THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES IN THE JUVENILE CODE.

On motion of Representative Haire, the bill is withdrawn from the Calendar and placed on the Calendar of April 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.



**H.B. 382**, A BILL TO BE ENTITLED AN ACT ADOPTING THE STRAWBERRY AS THE OFFICIAL FRUIT OF NORTH CAROLINA, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 495** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, AND TO MAKE TECHNICAL CHANGES, passes its second reading by electronic vote (74-41).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

**H.B. 598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS, passes its second reading by electronic vote (109-4).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 689**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 16**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DRIVER SHALL MOVE TO THE LEFT LANE

WHEN PASSING A VEHICLE STOPPED ON THE RIGHT SHOULDER OF THE ROADWAY BY A LAW ENFORCEMENT OFFICER, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary III.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 231**, A BILL TO BE ENTITLED AN ACT TO TREAT SALES OF COMPUTER SOFTWARE EQUALLY FOR SALES AND USE TAX PURPOSES REGARDLESS OF THE METHOD OF DELIVERY, is withdrawn from the Committee on Science and Technology and re-referred to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 245**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AN INSTRUMENT FOR ASSESSING THE QUALITY OF CARE PROVIDED BY ADULT CARE HOMES, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Health.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT FOR ADDITIONAL SERVICES BY THE STATE HIGHWAY PATROL AT EVENTS CONDUCTED BY PRIVATE ORGANIZATIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 647**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE A PORTION OF THE FACILITIES FEES COLLECTED BY THE CITY TO DEFRAY THE COSTS OF ADMINISTERING THE FACILITIES FEE PROGRAM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 661**, A BILL TO BE ENTITLED AN ACT AUTHORIZING GASTON COUNTY TO INCREASE THE SIZE OF ITS BOARD OF SOCIAL SERVICES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 709**, A BILL TO BE ENTITLED AN ACT

ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on State Government.

On motion of Representative Culpepper, seconded by Representative Oldham, the House adjourns at 5:25 p.m. to reconvene March 29 at 2:00 p.m.

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## **THIRTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, March 29, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, You created us and formed us in Your image. In Your mercy, You bestowed upon us the power and potential of love. Through freedom, You invite us to share in Your creativity and to participate in Your plan for creation. We, of all people, need Your grace. For our decisions affect not only our personal lives, but the lives of millions. Yet, we cannot know what is truly good and fully just apart from You. So we ask that You would guide our thoughts, lead our discussion, and inspire our legislation. May our thoughts be Your thoughts, our plans Your plans, our work Your work. Indeed, may we not only develop the good of our State, but also bring into being intimations of Your Kingdom. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble for today. Representative Gibson is excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

March 29, 2001

**H.B. 183**, AN ACT TO ALLOW EMERGENCY SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 138**, AN ACT TO MODIFY THE MEMBERSHIP OF THE MOUNT AIRY TOURISM DEVELOPMENT AUTHORITY. (S.L. 2001-7)

**S.B. 237**, AN ACT TO PROVIDE FOR THE STATEWIDE APPLICATION OF G.S. 24-9 WHICH PROHIBITS CERTAIN BUSINESS ENTITIES FROM ASSERTING THE DEFENSE OF USURY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2001-8)

**H.B. 212**, AN ACT TO ALLOW CERTAIN MUNICIPALITIES IN NEW HANOVER COUNTY TO USE PROCEEDS FROM ON-STREET PARKING METERS IN THE SAME MANNER IN WHICH PROCEEDS FROM OFF-STREET PARKING FACILITIES ARE USED. (S.L. 2001-9)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 435**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNOR MOREHEAD SCHOOL TO PROVIDE STAFF AND OTHER

ASSISTANCE TO A NONPROFIT CORPORATION ESTABLISHED TO SUPPORT THE SCHOOL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

**H.B. 445**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROFESSIONAL DEVELOPMENT PROGRAM FOR CODE-ENFORCEMENT OFFICIALS, TO AUTHORIZE THE USE OF FUNDS FROM THE DEPARTMENT OF INSURANCE FUND FOR PROFESSIONAL DEVELOPMENT OF CODE-ENFORCEMENT OFFICIALS, AND TO APPROPRIATE FUNDS FROM THE DEPARTMENT OF INSURANCE FUND FOR THAT PURPOSE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 740**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE SERVICES COMMISSION TO OPERATE THE SNACK BAR IN THE LEGISLATIVE OFFICE BUILDING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 363**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN TRIBES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

By Representative Warner, Chair, for the Committee on Education:

**H.B. 341**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMUNITY COLLEGES SYSTEM TO PAY FEES AND MATERIAL COSTS FOR SOME COMPANIES UNDER THE FOCUSED INDUSTRIAL TRAINING PROGRAM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 516**, A BILL TO BE ENTITLED AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 3. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 32**, A BILL TO BE ENTITLED AN ACT TO DOUBLE THE PENALTY FOR PRESIDENTIAL ELECTORS WHO REFUSE OR FAIL TO VOTE FOR THE CANDIDATES OF THE PARTY WHICH NOMINATED THAT ELECTOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 3. The original bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRALS**

Representative Warner, Chair, for the Standing Committee on Education, refers the following bills to the Education Subcommittee on Community Colleges:

**H.B. 401**, A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE.

**H.B. 410**, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL PROPERTY.

**H.B. 421**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL.

**H.B. 431**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES AND POLICIES REGARDING THE USE OF FUNDS FOR STUDENT FINANCIAL ASSISTANCE.

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING.

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

The following are introduced, read the first time and referred to committee:

By Representatives Insko and Hackney:

**H.B. 841**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CHATHAM IMPACT FEE LAW, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Cole, Gibson, Gillespie, Gulley, Hill, Hilton, and Warwick:

**H.B. 842**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, is referred to the Committee on Judiciary III.

By Representatives Cansler, Nesbitt, and Earle (Primary Sponsors); Alexander, McLawhorn, Morris, Sherrill, Wainwright, Walend, and C. Wilson:

**H.B. 843**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEDICAID REIMBURSEMENT RATE FOR DENTAL CARE FOR MEDICAID ELIGIBLE CHILDREN AND ADULTS, is referred to the Committee on Appropriations.

By Representatives Davis and Cox:

**H.B. 844**, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT ELEVEN INTO A SET OF DISTRICTS FOR ELECTORAL PURPOSES ONLY, is referred to the Committee on Judiciary III.

By Representatives Davis, Morris, and Warner:

**H.B. 845**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS, is referred to the Committee on Finance.

By Representative Davis:

**H.B. 846**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY, is referred to the Committee on Local Government II.

By Representatives Davis and Cox:

**H.B. 847**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO HARNETT COUNTY FOR DEVELOPMENT OF AN INDUSTRIAL SITE, is referred to the Committee on Appropriations.

By Representatives Arnold and Morris:

**H.B. 848**, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR AN INCOME TAX CREDIT FOR CERTAIN HEALTH EXPENSES, is referred to the Committee on Finance.

By Representative Culpepper:

**H.B. 849**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, is referred to the Committee on Judiciary II.

By Representatives McMahan, Alexander, Earle, Easterling, and Saunders:

**H.B. 850**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A GROSS RECEIPTS TAX ON CERTAIN ENTERTAINMENTS OFFERED IN CITY-OWNED FACILITIES, is referred to the Committee on Finance.

By Representatives McMahan, Alexander, Earle, Easterling, and Saunders:

**H.B. 851**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSES FOR WHICH MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE MAY SPEND OCCUPANCY TAX PROCEEDS, is referred to the Committee on Local Government I.



By Representatives McMahan, Alexander, Earle, Harrington, and Saunders:

**H.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARLOTTE AUDITORIUM-COLISEUM-CONVENTION CENTER AUTHORITY TO LEASE OR RENT PROPERTIES FOR TERMS UP TO THIRTY YEARS, is referred to the Committee on Local Government I.

By Representatives McMahan, Alexander, Earle, Easterling, and Saunders:

**H.B. 853**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO LEVY A GROSS RECEIPTS TAX ON SHORT-TERM RENTALS OF CERTAIN VEHICLES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McMahan, Alexander, and Easterling:

**H.B. 854**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO CONTRACT FOR THE DESIGN, CONSTRUCTION, EQUIPPING, AND FURNISHING OF A NEW ARENA WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF THE LAWS REGULATING PUBLIC CONTRACTS, is referred to the Committee on Local Government I.

By Representatives Insko and Luebke:

**H.B. 855**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE SCHOOL HEALTH CURRICULUM, is referred to the Committee on Education.

By Representatives Preston and Smith:

**H.B. 856**, A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY TO ENTER INTO SEPARATE-PRIME CONTRACTS OR A SINGLE-PRIME CONTRACT IN THE RENOVATION OF THE FORMER A&P SHOPPING CENTER IN MOREHEAD CITY FOR THE CARTERET COUNTY HEALTH AND HUMAN SERVICES BUILDING, is referred to the Committee on Local Government II.

By Representative Alexander:

**H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK, is referred to the Committee on Mental Health.

By Representatives Cox and Davis (Primary Sponsors):

**H.B. 858**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO BUILD AND UP-FIT A NEW BUILDING FOR THE GET SMART PROGRAM, is referred to the Committee on Appropriations.

By Representative Shubert:

**H.B. 859**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN REPEAT OFFENSES OF MISDEMEANOR LARCENY OR SHOPLIFTING, is referred to the Committee on Judiciary I.

By Representatives Shubert, Davis, Gillespie, and Morris:

**H.B. 860**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE FOR THE GENERAL ASSEMBLY TO LEVY TAXES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shubert (By Request):

**H.B. 861**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE UNION COUNTY TO HOLD A REFERENDUM ON LEVYING TAXES FOR SCHOOL CONSTRUCTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert and Barbee:

**H.B. 862**, A BILL TO BE ENTITLED AN ACT TO ALLOW UNION COUNTY AND ALL OF THE MUNICIPALITIES IN UNION COUNTY AND THE CITY OF ALBEMARLE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is referred to the Committee on Judiciary II.

By Representatives Shubert and Gibson:

**H.B. 863**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL GROWTH AT SOUTH PIEDMONT COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representatives Insko and Hackney:

**H.B. 864**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ORANGE COUNTY IMPACT FEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Redwine:

**H.B. 865**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE OPERATION OF OFF-ROAD VEHICLES ON CERTAIN PROPERTY IN BRUNSWICK COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warren:

**H.B. 866**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, is referred to the Committee on Local Government II.

By Representative McLawhorn:

**H.B. 867**, A BILL TO BE ENTITLED AN ACT CLARIFYING AND EXPANDING THE ALLOWED USES OF THE MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND FOR COMMUNICATIONS NEEDS, is referred to the Committee on Public Utilities.

By Representative Wright:

**H.B. 868**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 98TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

**H.B. 869**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 98TH HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker (By Request):

**H.B. 870**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ATTORNEYS FROM PRACTICING BEFORE A JUDGE TO WHOM THEY HAVE GIVEN A POLITICAL CONTRIBUTION EXCEEDING ONE HUNDRED DOLLARS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Michaux, Luebke, and Weiss:

**H.B. 871**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO PROHIBIT DISCRIMINATION IN

EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND HOUSING BASED ON CRITERIA IN ADDITION TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY, AND AGE, AND TO PRESCRIBE THE PROCEDURE FOR THE ADOPTION OF ANY SUCH ORDINANCE, is referred to the Committee on Local Government I.

By Representatives Michaux, Luebke, and Weiss:

**H.B. 872**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ESTABLISH AN INCLUSIONARY HOUSING PROGRAM, is referred to the Committee on Local Government I.

By Representatives Michaux, Luebke, and Weiss:

**H.B. 873**, A BILL TO BE ENTITLED AN ACT REPEALING OBSOLETE OR REDUNDANT SECTIONS OF THE CHARTER OF THE CITY OF DURHAM, is referred to the Committee on Local Government I.

By Representatives Yongue and Bonner:

**H.B. 874**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LAURINBURG TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representative Walend:

**H.B. 875**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

**H.B. 876**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HENDERSON AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Walend:

**H.B. 877**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF

SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Walend, Cansler, and Sherrill:

**H.B. 878**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, is referred to the Committee on Finance.

By Representative Haire:

**H.B. 879**, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS, is referred to the Committee on Finance.

By Representative Owens:

**H.B. 880**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, is referred to the Committee on Finance.

By Representative Culpepper:

**H.B. 881**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 882**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DUCK, is referred to the Committee on Finance.

By Representative Culpepper:

**H.B. 883**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Hackney, Blue, Nesbitt, and Sutton (Primary Sponsors); and Alexander:

**H.B. 884**, A BILL TO BE ENTITLED AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE AND TO AMEND THE LAW PROVIDING COMPENSATION TO THE PERSON FOR A WRONGFUL CONVICTION, is referred to the Committee on Judiciary I.

By Representative Culpepper:

**H.B. 885**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND ENVIRONMENTAL EDUCATION FACILITIES, is referred to the Committee on Local Government I.

By Representative Cansler:

**H.B. 886**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cansler:

**H.B. 887**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Cansler:

**H.B. 888**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

**H.B. 889**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

**H.B. 890**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF CARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miner:

**H.B. 891**, A BILL TO BE ENTITLED AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY, is referred to the Committee on Wildlife Resources.

By Representative McMahan:

**H.B. 892**, A BILL TO BE ENTITLED AN ACT CONCERNING THE CITY OF CHARLOTTE AND THE TOWN OF PINEVILLE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan (By Request):

**H.B. 893**, A BILL TO BE ENTITLED AN ACT TO INCLUDE MOORE COUNTY AMONG THOSE COUNTIES IN WHICH DOGS MAY NOT BE USED TO HUNT DEER, is referred to the Committee on Wildlife Resources.

By Representative Hensley (By Request):

**H.B. 894**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF GARNER TO ADOPT ORDINANCES REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF TREES AND SHRUBS WITHIN THE TOWN AND THE TOWN'S EXTRA-TERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Local Government I.

By Representative Hensley (By Request):

**H.B. 895**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF GARNER TO REQUIRE THE PAYMENT OF TRANS-

PORTATION IMPACT FEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Blue (Primary Sponsors):

**H.B. 896**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAINTAIN A COMPUTERIZED DATABASE OF INFORMATION REGARDING THE PRESCRIBING AND FILLING OF ORDERS FOR CONTROLLED SUBSTANCES, is referred to the Committee on Health.

By Representatives Hensley, Blue, and Sutton (Primary Sponsors):

**H.B. 897**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Hensley and Blue (Primary Sponsors):

**H.B. 898**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STATE EMPLOYEE FEDERAL REMEDY RESTORATION ACT, is referred to the Committee on Judiciary I.

By Representatives Hensley and Blue (Primary Sponsors):

**H.B. 899**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW WITH REGARD TO RESISTING, OBSTRUCTING, OR DELAYING A PUBLIC OFFICER IN DISCHARGING OFFICIAL DUTIES, is referred to the Committee on Judiciary III.

By Representatives Baddour and Easterling:

**H.B. 900**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE NORTH CAROLINA PROGRESS BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, Barefoot, Hall, Smith, Underhill, Wainwright, and Warren:

**H.B. 901**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL FAMILY COURT PILOT PROGRAMS, is referred to the Committee on Appropriations.



By Representative Baddour:

**H.B. 902**, A BILL TO BE ENTITLED AN ACT TO ADD AN APPOINTEE OF THE INDIGENT DEFENSE SERVICES COMMISSION TO THE STATE JUDICIAL COUNCIL, is referred to the Committee on Judiciary II.

By Representative Goodwin (By Request):

**H.B. 903**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN RICHMOND COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Goodwin and Barefoot:

**H.B. 904**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR MISDEMEANOR CHILD ABUSE TO A CLASS A1 MISDEMEANOR SO THAT IT IS THE SAME AS THE PENALTY FOR ASSAULT ON AN ADULT, is referred to the Committee on Judiciary III.

By Representatives Goodwin and Barefoot:

**H.B. 905**, A BILL TO BE ENTITLED AN ACT TO INCLUDE LAW ENFORCEMENT EQUIPMENT IN THE CATEGORY OF FELONY LARCENY, is referred to the Committee on Judiciary III.

By Representatives Weiss and Luebke:

**H.B. 906**, A BILL TO BE ENTITLED AN ACT MAKING A TECHNICAL CORRECTION TO THE SECTION OF THE CHARTER OF THE CITY OF DURHAM THAT PROVIDES EXEMPTIONS FROM THE CITY'S FAIR HOUSING ORDINANCE, is referred to the Committee on Judiciary II.

By Representative Weiss (By Request):

**H.B. 907**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representative Weiss (By Request):

**H.B. 908**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO IMPOSE IMPACT FEES FOR PARKS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss (By Request):

**H.B. 909**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO ADOPT ZONING REGULATIONS FOR INCLUSIONARY HOUSING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss (By Request):

**H.B. 910**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO PROHIBIT THE CLEAR CUTTING OF TREES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss (By Request):

**H.B. 911**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO CHARGE A GENERAL GOVERNMENT IMPACT FEE FOR CAPITAL COSTS RELATED TO THE CONSTRUCTION OF GENERAL GOVERNMENT FACILITIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Weiss (By Request):

**H.B. 912**, A BILL TO BE ENTITLED AN ACT GRANTING TO THE CARY TOWN COUNCIL AUTHORITY TO REQUIRE DISCLOSURE OF THE NAMES OF CONTRIBUTORS TO TOWN ELECTION CAMPAIGNS, AND TO LIMIT THE AMOUNTS OF SUCH CONTRIBUTIONS, AS HAS PREVIOUSLY BEEN GRANTED TO OTHER MUNICIPALITIES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Weiss (By Request):

**H.B. 913**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO IMPOSE IMPACT FEES FOR THE PURPOSE OF ACQUIRING OPEN SPACE WITHIN THE TOWN LIMITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Blust:

**H.B. 914**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONE MEMBER OF THE PIEDMONT TRIAD AIRPORT AUTHORITY SHALL BE A RESIDENT OF GUILFORD COUNTY LIVING WITHIN THREE MILES OF THE AIRPORT, is referred to the Committee on Local Government II.

By Representatives Shubert, Davis, and Morris:

**H.B. 915**, A BILL TO BE ENTITLED AN ACT TO LIMIT GENERAL FUND BUDGET EXPENDITURES FOR A FISCAL YEAR TO THE AMOUNT OF GENERAL FUND REVENUE COLLECTIONS FROM THE PRIOR FISCAL YEAR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Hilton, Morris, and Warner:

**H.B. 916**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION AND INDEX IT TO COST-OF-LIVING ADJUSTMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke and Weiss:

**H.B. 917**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, is referred to the Committee on Local Government I.

By Representatives Luebke and Weiss:

**H.B. 918**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED, is referred to the Committee on Judiciary II.

By Representatives Luebke and Weiss:

**H.B. 919**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF DEER WITH DOGS IN DURHAM COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Luebke:

**H.B. 920**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DURHAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander and Wainwright:

**H.B. 921**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO EXTEND ADOPTION ASSISTANCE PAYMENTS TO AGE NINETEEN, TO INCREASE VENDOR PAYMENTS FOR POST-ADOPTION SERVICES, AND TO INCREASE ADOPTION ASSISTANCE PAYMENTS IN THE SPECIAL NEEDS ADOPTIONS INCENTIVE FUND, is referred to the Committee on Appropriations.

By Representative Nesbitt:

**H.B. 922**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nesbitt:

**H.B. 923**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Pope, Goodwin, Hilton, and Walend:

**H.B. 924**, A BILL TO BE ENTITLED AN ACT REQUIRING REDACTION OF SOCIAL SECURITY NUMBERS ON COPIES OF PUBLIC RECORDS PROVIDED TO THE PUBLIC, is referred to the Committee on Ways and Means.

By Representative McComas:

**H.B. 925**, A BILL TO BE ENTITLED AN ACT TO CREATE THE WILMINGTON RIVER WALK CONVENTION CENTER DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

**H.B. 926**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE NEW HANOVER COUNTY ROOM

OCCUPANCY TAX MAY BE USED AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Local Government II.

By Representative McComas:

**H.B. 927**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF WRIGHTSVILLE BEACH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

**H.B. 928**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF WILMINGTON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Underhill and Wainwright (Primary Sponsors) (By Request):

**H.B. 929**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL JURISDICTION AND RELATED POWERS TO THE TOWN OF MINNESOTT BEACH, is referred to the Committee on Judiciary I.

By Representatives Bell (By Request); Bowie, Cunningham, Davis, Goodwin, Weatherly, and Womble:

**H.B. 930**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY AND THE CITY OF CLINTON TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representatives Insko and Hackney (Primary Sponsors):

**H.B. 931**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS AND TO REGULATE HUNTING NEAR GOVERNMENT BUILDINGS, is referred to the Committee on Wildlife Resources.

By Representatives Insko and Hackney (Primary Sponsors):

**H.B. 932**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, is referred to the Committee on Judiciary I.

By Representatives Hilton, Arnold, Barnhart, Blust, Brubaker, Capps, Carpenter, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis,

Esposito, Gillespie, Harrington, Holmes, Howard, Johnson, Kiser, Morgan, Morris, Pope, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Walker, Weatherly, West, C. Wilson, and G. Wilson:

**H.B. 933**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE A TWO-THIRDS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye and Earle:

**H.B. 934**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW, is referred to the Committee on Health.

By Representative Daughtry:

**H.B. 935**, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, is referred to the Committee on Local Government I.

By Representative Wright:

**H.B. 936**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS TO ESTABLISH REGULATORY STANDARDS FOR THE ADMINISTRATION AND MONITORING OF ENTERAL SEDATION FOR OUTPATIENTS IN THE DENTAL SETTING IN ADDITION TO EXISTING STANDARDS FOR GENERAL ANESTHESIA AND PARENTERAL SEDATION, is referred to the Committee on Health.

By Representatives Wright and Morris:

**H.B. 937**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DIABETES CONTROL AND EDUCATION ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives Smith and Preston:

**H.B. 938**, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, is referred to the Committee on Education.

By Representatives Nesbitt, Sexton and Haire (Primary Sponsors); Alexander, Cansler, Clary, Cole, Daughtry, Davis, Easterling, Harrington, Kiser, McLawhorn, McMahan, Mitchell, Morris, Redwine, Sherrill, Tucker, Underhill, Wainwright, Walend, and Womble:

**H.B. 939**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE, is referred to the Committee on Appropriations.

By Representatives Hackney and Insko:

**H.B. 940**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHATHAM COUNTY TO LEVY A TAX OF NOT MORE THAN FIVE DOLLARS PER YEAR ON ANY VEHICLE RESIDENT IN THE COUNTY AND TO REQUIRE THE FUNDS GENERATED TO BE USED FOR ECONOMIC DEVELOPMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 18**, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND DUPLIN COUNTIES TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of April 2.

Upon concurrence, the Senate committee substitute bill changes the title.

**S.B. 9**, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS TO THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION, is read the first time and referred to the Committee on Transportation.

**S.B. 113** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE CABARRUS COUNTY WORK OVER WELFARE PROGRAM, is read the first time and referred to the Committee on Children, Youth and Families.

**S.B. 123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL

OBLIGATION BONDS FOR JAILS AND FOR WATER AND SEWER PROJECTS, is read the first time and referred to the Committee on Ways and Means.

**S.B. 166** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY THE DESIGNATION OF A LEAD AGENCY FOR LONG-TERM CARE PLANNING, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 381**, A BILL TO BE ENTITLED AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN, is read the first time and referred to the Committee on Finance.

**S.B. 399**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE, is read the first time and referred to the Committee on Local Government I.

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, is read the first time and referred to the Committee on Local Government I.

**S.B. 471**, A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, is read the first time and referred to the Committee on Ways and Means.

## CALENDAR

Action is taken on the following:

**H.B. 556**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF LEXINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FROM THREE PERCENT TO SIX PERCENT, passes its third reading, by the following vote, and is ordered sent to the Senate.



Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blust, Bowie, Brubaker, Buchanan, Carpenter, Clary, Coates, Cole, J. Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Ellis, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 86.

Voting in the negative: Representatives Allred, Baker, Capps, Cox, Daughtry, Davis, Eddins, Esposito, Gillespie, Justus, Morris, Nye, Pope, and Warwick - 14.

Excused absences: Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble - 9.

**H.B. 602**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble - 9.

**H.B. 633**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Easterling, Eddins, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 102.

Voting in the negative: Representative Davis.

Excused absences: Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble - 9.

**H.B. 671**, A BILL TO BE ENTITLED AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer,

Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 104.

Voting in the negative: Representative Davis.

Excused absences: Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble - 9.

**H.B. 105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Clary, Coates, Cole, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 90.

Voting in the negative: Representatives Allred, Blust, Capps, Cox, Creech, Davis, Decker, Eddins, Gillespie, Hilton, Howard, Nye, Pope and Warwick, - 14.

Excused absences: Representatives Barbee, Bonner, Edwards, Gray, McMahan, Teague, Thompson, Tucker, and Womble - 9.

**H.B. 651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY.

Representative Hackney offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

**H.B. 656**, A BILL TO BE ENTITLED AN ACT TO ALLOW JOHNNY S. MYERS TO CONVEY CERTAIN PROPERTY TO THE COUNTY OF YADKIN, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 683**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT MEMBERS OF THE PLYMOUTH TOWN COUNCIL ELECTED FROM A WARD ARE VOTED ON ONLY WITHIN THAT WARD, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 699**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CAMDEN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION ON A NONPARTISAN BASIS, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 142** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN-YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF

**ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.**

Representative Pope offers Amendment No. 2 which fails of adoption by electronic vote (31-73).

Representative Sutton offers Amendment No. 3 which is adopted by electronic vote (97-8).

The bill, as amended, passes its third reading, by electronic vote (86-17), and is ordered engrossed and sent to the Senate.

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT, passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate.

**H.B. 495** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, AND TO MAKE TECHNICAL CHANGES, passes its third reading, by electronic vote (66-36), and is ordered sent to the Senate.

**WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.B. 598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS, is withdrawn from the Calendar and placed on the Calendar of April 2.

Pursuant to Rule 32(a), **H.B. 341**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMUNITY COLLEGES SYSTEM TO PAY FEES AND MATERIAL COSTS FOR SOME COMPANIES UNDER THE FOCUSED INDUSTRIAL TRAINING PROGRAM, is withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Appropriations.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 663**, A JOINT RESOLUTION HONORING THE MEMORY OF THE VICTIMS OF THE IMPERIAL FOOD PRODUCTS FIRE, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

**H.B. 800**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 2.

#### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Finance and re-referred to the Committee on Military, Veterans and Indian Affairs:

**H.B. 110**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES;

**H.B. 220**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR PERSONS QUALIFIED IN THE UNITED STATES NAVY SUBMARINE SERVICE.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Local Government I and re-referred to the Committee on Judiciary II:

**H.B. 533**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF FUQUAY-VARINA TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS;

**H.B. 534**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF KNIGHTDALE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS;

**H.B. 535**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF GARNER TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS.

On motion of Representative Culpepper, seconded by Representative Jeffus, the House adjourns at 3:51 p.m. to reconvene Monday, April 2, 2001, at 7:00 p.m.

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## THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Monday, April 2, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, in the leaves that shoot forth from seemingly dead branches and in the buds that burst open into colorful blossoms, Your continuing activity of creation is made manifest. We pray that same inventive work would be alive in us and bring newness into our lives. Prune away the dead wood of past failures, old fears, and former hurts. Renew our growth into Your image that we might blossom forth and share the sweet perfume of mercy and yield the full fruit of righteousness. May Your creative touch be with this corporate Body as well. May seeds of understanding begin sprouting. May innovative approaches blossom forth into fresh solutions to old problems. Come now, O Creator, refresh, renew and transform. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of March 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Blue, Brubaker, Cole, Dockham, Goodwin, Hiatt, Hurley, Insko, McAllister, Redwine, and Thompson for today.

April 2, 2001

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 439**, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 51**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF BISCOE ON THE TOWN'S CENTENNIAL ANNIVERSARY, with an indefinite postponement report.

The resolution is placed on the Unfavorable Calendar.

**H.R. 55**, A HOUSE RESOLUTION TO RECOGNIZE FEBRUARY 6 AS "RONALD REAGAN DAY" IN THE STATE OF NORTH CAROLINA, with an indefinite postponement report.

The resolution is placed on the Unfavorable Calendar.

**H.J.R. 100**, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR MICHAEL F. EASLEY, THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, with an indefinite postponement report.

The resolution is placed on the Unfavorable Calendar.

**H.B. 385** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO



AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

**S.B. 243** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND TOWNS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED, reported without prejudice as to House committee substitute bill, unfavorable as to Senate committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 648**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA STUDY COMMISSION ON MEDICAL EXAMINERS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 31**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE DATE PROVIDED BY FEDERAL LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 198** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY SUPPLEMENTAL FIREMEN'S RETIREMENT FUND, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 3. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 477** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL FIREMEN'S RELIEF FUND OF THE CITY OF MARION, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 3. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 604**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 3.

**H.B. 621**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE CARY LOCAL FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 3. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 45**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Insko and Hackney:

**H.B. 941**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES IN NORTH CAROLINA WITH POPULATIONS OF ONE HUNDRED THOUSAND TO ENACT ORDINANCES PROHIBITING DISCRIMINATION, is referred to the Committee on Judiciary I.

By Representatives Hurley, J. Crawford, Dedmon, Ellis, Lucas, Morris, Warner, and Weatherly:

**H.B. 942**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT, is referred to the Committee on Finance.

By Representative Barefoot:

**H.B. 943**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISCONTINUED MEMBERSHIP SERVICE ALLOWANCES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Barnhart, Morris, and McMahan:

**H.B. 944**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SAVINGS RESERVE ACCOUNT MUST EQUAL EIGHT PERCENT

OF THE AMOUNT APPROPRIATED THE PRIOR FISCAL YEAR FOR THE GENERAL FUND OPERATING BUDGET AND TO LIMIT THE GENERAL FUND OPERATING SIZE TO THE PRIOR FISCAL YEAR'S ACTUAL GENERAL FUND REVENUE COLLECTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barnhart, McMahan, and Morris:

**H.B. 945**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TRANSPORTATION FUNDING EQUITY STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Eddins:

**H.B. 946**, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT FORMS OF IDENTIFICATION AN OFFENSE, is referred to the Committee on Judiciary III.

By Representative Rogers:

**H.B. 947**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A TRADE WORKER III POSITION IN HIGHWAY PATROL TROOP A, DISTRICT V, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, is read the first time and referred to the Committee on Education.

**S.B. 370**, A BILL TO BE ENTITLED AN ACT AMENDING THE JOINT SECURITY FORCE PROVISIONS FOR STATE FACILITIES FOR MENTALLY ILL PERSONS, is read the first time and referred to the Committee on Judiciary II.

**S.B. 397** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND

OTHER PROGRAMS, is read the first time and referred to the Committee on Judiciary II.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 18** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES ADVERSELY AFFECTED BY THE FLOODS ACCOMPANYING HURRICANE FLOYD TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

On motion of the Chair, and without objection, the bill is temporarily displaced.

**H.B. 105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Bonner, Bowie, Boyd-McIntyre, Buchanan, Cansler, Carpenter, Church, Clary, Coates, Culp, Culpepper, Cunningham, Decker, Dedmon, Earle, Easterling, Fox, Gibson, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Jarrell, Jeffus, Johnson, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 83.

Voting in the negative: Representatives Allred, Blust, Capps, Cox, Daughtry, Davis, Eddins, Ellis, Gillespie, Hilton, Howard, Justus, Kiser, Nye, Pope, Setzer, and Warwick - 17.

Excused absences: Representatives Barbee, Blue, Brubaker, Cole, Dockham, Goodwin, Hiatt, Hurley, Insko, McAllister, Redwine, and Thompson - 12.

Representative Esposito requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (84-17).

**H.B. 651** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE AND THE TOWN OF CHAPEL HILL TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY.

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate.

**H.B. 598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS.

On motion of Representative McMahan, the bill is withdrawn from the Calendar and placed on the Calendar of April 3.

**H.B. 800**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
April 2, 2001

Mr. Speaker:

April 2, 2001

It is ordered that a message be sent to the House of Representatives respectfully requesting the return of **H.B. 18** (Senate Committee Substitute), AN ACT TO ALLOW COUNTIES ADVERSELY AFFECTED BY THE FLOODS ACCOMPANYING HURRICANE FLOYD TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, for further consideration by the Senate.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The bill which was temporarily displaced, is ordered returned to the Senate.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 290**, A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, AND TO POSTPONE THE EFFECTIVE DATE OF TAXATION BY THAT TOWN, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF PAGES

Pages for the week of April 2 are introduced to the membership. They are: Carissa Abraham of Iredell; Natoskia Adams of Durham; Courtney Alston of Wake; Katherine Bland of Wake; Warren Crider of Wake; Randolph Davidson of Wake; Charmyles Garner, Jr. of Wake; Kerri Green of Vance; Kelly Holliman of Alamance; Evelyn Hunter of Franklin; Meredith Ireland of Alamance; Hilary Lippert of Iredell; Katherine Oast of Pasquotank; Brandon Lee Robinson of Hoke; Jerrod Rogers of Iredell; Belvin Sherrill of Iredell; and Monte Tunnell of Perquimans.

### ENROLLED BILLS

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 597**, AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 481**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF LORINZO LITTLE JOYNER MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION. (RESOLUTION 2001-7)

On motion of Representative Culpepper, seconded by Representative Cunningham, the House adjourns at 7:34 p.m. to reconvene April 3 at 3:00 p.m.

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## FORTIETH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, April 3, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we have learned that to walk with You does not always entail the easiest path. We have seen that faithfulness does not entail popularity. Yet, You have promised to never abandon us. As we hear the complaints from others for standing by our conscience and not the rest of the crowd, give us courage. As we endure the criticism for remaining firm in our principles give us strength. Support us as we risk true discipleship and sustain us in our commitment to Your will. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee and Insko for today. Representatives Cansler and Redwine are excused for a portion of the session.

## ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

April 3, 2001



**H.B. 193**, AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY CARE AND/OR COMMUNITY BENEFITS.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 597**, AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO CONDUCT AN ADVISORY REFERENDUM ON CAPITAL INVESTMENTS IN SPORTS AND CULTURAL FACILITIES. (S.L. 2001-10)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 700**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE THE NAME ON THE NOTARY SEAL DOES NOT COMPORT EXACTLY WITH THE NAME ON THE NOTARY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 274**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE TERM "TRAINING SCHOOL", AS IT APPLIES TO THE JUVENILE CODE, TO "YOUTH ACADEMY" IN THE GENERAL STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 680**, A JOINT RESOLUTION HONORING THE MEMORY AND SERVICE OF DOG HANDLERS AND VISUAL TRACKERS KILLED DURING THE VIETNAM WAR AND RECOGNIZING THE

SERVICE OF MILITARY DOGS DURING THAT WAR, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 4.

**H.J.R. 746**, A JOINT RESOLUTION HONORING THE MEMORY OF MRS. FRANK WOODS, MRS. HUNDLEY GOVER, MRS. W. STEWART PEERY, MRS. WILLIAM H. MEANOR, MRS. BRUCE A. BEERY, AND MRS. LEE A. THORNBURG, FORMER PRESIDENTS OF THE CHARLOTTE SYMPHONY GUILD UPON THE GUILD'S FIFTIETH ANNIVERSARY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 262**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 32(a), the bill is re-referred to the Committee on Appropriations.

**H.B. 362**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 664**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROTEST PROCEDURES IN THE CITY OF ROCKINGHAM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

**H.B. 666**, A BILL TO BE ENTITLED AN ACT MAKING IT A CRIMINAL OFFENSE TO OBTAIN AMBULANCE SERVICES FRAUDULENTLY IN HALIFAX COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

**H.B. 682**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

**H.B. 695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO MECKLENBURG COUNTY ZONING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

**H.B. 696**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET RELATING TO MECKLENBURG MUNICIPAL ZONING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 555**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 4. The original bill is placed on the Unfavorable Calendar.

**H.B. 332** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENERGY IMPROVEMENT PROGRAM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 3** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 665**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR ASSAULT, BATTERY, AND FALSE IMPRISONMENT TO THREE YEARS IN ORDER TO PROVIDE THAT THE PERIOD OF LIMITATIONS FOR THESE INTENTIONAL TORTS IS AS LONG AS THE PERIOD OF LIMITATIONS FOR UNINTENTIONAL TORTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 794**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM ACROSS THE RIGHT-OF-WAY OF A PUBLIC ROAD IN CALDWELL COUNTY FOR THE PURPOSE OF TARGET PRACTICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 4.

By Representative Smith, Chair, for the Committee on Public Utilities:

**H.B. 824**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSTALLATION OF AN ACCESSIBLE CLEANOUT AT THE JUNCTION OF THE PUBLIC SEWER LINE AND THE HOUSE OR BUILDING SEWER LINE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 391**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAKE RECOMMENDATIONS ON WAYS TO ELIMINATE DISPARITIES IN HEALTH CARE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 431**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE VALUE THRESHOLDS OF LIMITED AND INTERMEDIATE LICENSES FOR INFLATION UNDER THE LAWS REGULATING GENERAL CONTRACTORS, is read the first time and referred to the Committee on Ways and Means.

**S.B. 434**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, is read the first time and referred to the Committee on State Government.

**S.B. 486**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, is read the first time and referred to the Committee on Local Government II.

**S.B. 533**, A BILL TO BE ENTITLED AN ACT ALLOWING THE CHARLOTTE CITY AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES TO CONTROL THE LOCATION OF PERMANENT MARKERS ALONG PROPERTY LINES, is read the first time and referred to the Committee on Local Government I.

**S.B. 534**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS, is read the first time and referred to the Committee on Local Government I.

**S.B. 569**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO USE THE SINGLE-PRIME CONTRACT

SYSTEM FOR THE CONSTRUCTION OF A PUBLIC WORKS FACILITY, AN ENVIRONMENTAL EDUCATION CENTER, AND A CIVIC CENTER AND THE RENOVATION OF THE FIRST CITIZENS BANK AND CITY HALL, is read the first time and referred to the Committee on Local Government II.

**S.B. 588**, A BILL TO BE ENTITLED AN ACT MAKING A TECHNICAL CORRECTION TO THE SECTION OF THE CHARTER OF THE CITY OF DURHAM THAT PROVIDES EXEMPTIONS FROM THE CITY'S FAIR HOUSING ORDINANCE, is read the first time and referred to the Committee on Local Government I.

**S.B. 603**, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE OR REDUNDANT SECTIONS OF THE CHARTER OF THE CITY OF DURHAM. is read the first time and referred to the Committee on Local Government I.

**S.B. 614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY AND THE CITIES OF CHARLOTTE AND CONCORD TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION, is read the first time and referred to the Committee on Transportation.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Haire:

**H.B. 948**, A BILL TO BE ENTITLED AN ACT TO REDEFINE "SPECIAL ABC AREA", is referred to the Committee on Alcoholic Beverage Control.

By Representative Alexander:

**H.B. 949**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUED SPEECH CENTER, is referred to the Committee on Appropriations.

By Representative Wright:

**H.B. 950**, A BILL TO BE ENTITLED AN ACT TO RAISE THE ELIGIBILITY CAP FOR PARTICIPATION IN THE AIDS DRUG ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, is referred to the Committee on Health.

By Representative Culpepper:

**H.B. 951**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE EASTERN NORTH CAROLINA HERITAGE TOURISM INITIATIVE, is referred to the Committee on Appropriations.

By Representative Culpepper:

**H.B. 952**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE WANCHESE MARINE INDUSTRIAL PARK IN TYRRELL COUNTY, is referred to the Committee on Appropriations.

By Representative Eddins:

**H.B. 953**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A FELONY TO POSSESS, PASS, OR UTTER COUNTERFEIT UNITED STATES CURRENCY WITH THE INTENT TO DEFRAUD ANOTHER, is referred to the Committee on Judiciary II.

By Representative Alexander:

**H.B. 954**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN AVID TEACHER TRAINING PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, is referred to the Committee on Appropriations.

By Representative Arnold:

**H.B. 955**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, is referred to the Committee on Judiciary III.

By Representative Arnold:

**H.B. 956**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE UNIVERSITY OF NORTH CAROLINA AND ITS CONSTITUENT

INSTITUTIONS SHALL NOT RETAIN REVERSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Arnold and Shubert:

**H.B. 957**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MINIMUM AGE FOR ENTRY IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Cansler, Insko, and Clary (Primary Sponsors):

**H.B. 958**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS, is referred to the Committee on Health.

By Representatives Gray and Shubert:

**H.B. 959**, A BILL TO BE ENTITLED AN ACT TO EXEMPT ELECTRICITY USED FOR CERTAIN PURPOSES FROM THE SALES AND USE TAX, is referred to the Committee on Finance.

By Representatives Davis and Cox:

**H.B. 960**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AVERASBORO BATTLEFIELD COMMISSION, is referred to the Committee on Appropriations.

By Representatives Davis and Cox:

**H.B. 961**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PERMIT-READY AN INDUSTRIAL PARK IN HARNETT COUNTY, is referred to the Committee on Appropriations.

By Representatives Davis and Cox:

**H.B. 962**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF ERWIN TO DEVELOP A TEXTILE MUSEUM, is referred to the Committee on Appropriations.



By Representatives Davis and Cox:

**H.B. 963**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPAIR AND RENOVATE THE GENERAL WILLIAM C. LEE MUSEUM IN HARNETT COUNTY, is referred to the Committee on Appropriations.

By Representative Rogers:

**H.B. 964**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE EAST CAROLINA UNIVERSITY TO CONDUCT FRESHWATER MARINE RESEARCH IN WASHINGTON COUNTY, is referred to the Committee on Appropriations.

By Representatives Warwick and Hill (Primary Sponsors); Allen, Arnold, Baddour, Barefoot, Bell, Blust, Bonner, Bowie, Buchanan, Cansler, Coates, Cox, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Eddins, Gibson, Gillespie, Harrington, Jeffus, Justus, Kiser, Lucas, Luebke, McComas, McLawhorn, McMahan, Mitchell, Nesbitt, Nye, Owens, Preston, Rogers, Sexton, Shubert, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Warren, Weatherly, G. Wilson, and Yongue:

**H.B. 965**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, is referred to the Committee on Agriculture.

## CALENDAR

Action is taken on the following:

**H.B. 198** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 477** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MARION FIREMEN'S SUPPLEMENTAL

RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 516** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 604**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 621** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE CARY LOCAL FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS.

Representative Setzer requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of the Chair, the bill is temporarily displaced.

On motion of the Chair, the House recesses at 3:30 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

## REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Hill, Chair, for the Committee on Agriculture:

**H.B. 965**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### BILL PLACED ON CALENDAR

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 965** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, is placed on today's Calendar for immediate consideration.

Representative Allred offers Amendment No. 1 which is adopted by electronic vote (110-2).

The bill, as amended, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

### ENROLLED BILLS

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 163**, AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS.

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 558**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REAL ESTATE COMMISSION TO PERMIT REAL ESTATE BROKERS TO PAY TRAVEL AGENTS FOR PROCURING POTENTIAL TENANTS IN VACATION RENTAL TRANSACTIONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 587**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CHARLOTTE TO MAKE ROADWAY IMPROVEMENTS IN THE CITY'S EXTRATERRITORIAL JURISDICTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill. The committee substitute changes the bill from local to public.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.B. 779** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, is read the first time and referred to the Committee on Agriculture.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 650**, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE AUTHORITY OF LOCAL BOARDS OF EDUCATION TO ENTER INTO CONTRACTS FOR THE SALE OF SOFT DRINKS TO STUDENTS IN PUBLIC SCHOOLS, AND TO APPOINT AN INDEPENDENT STUDY COMMISSION TO STUDY THE PUBLIC HEALTH ISSUES AND MAKE RECOMMENDATIONS REGARDING WHETHER CERTAIN FOODS, INCLUDING SOFT DRINKS, SHOULD BE MADE AVAILABLE TO STUDENTS IN PUBLIC SCHOOLS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 670**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE PROVISIONS OF THE CHECK CASHER ACT AUTHORIZING POSTDATED OR DELAYED DEPOSIT CHECKS AND TO CLARIFY THAT SUCH TRANSACTIONS ARE AN EXTENSION OF CREDIT AND TO PROVIDE ADDITIONAL CONSUMER PROTECTIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Financial Institutions.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 705**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO USE PHOTOGRAPHIC SPEED-MEASURING SYSTEMS TO ENFORCE SPEED RESTRICTIONS, is withdrawn from the Committee on Local Government II and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 906**, A BILL TO BE ENTITLED AN ACT MAKING A TECHNICAL CORRECTION TO THE SECTION OF THE CHARTER OF THE CITY OF DURHAM THAT PROVIDES EXEMPTIONS FROM THE CITY'S FAIR HOUSING ORDINANCE, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 910**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO PROHIBIT THE CLEAR

CUTTING OF TREES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, seconded by Representative Daughtry, the House adjourns at 5:42 p.m. to reconvene April 4 at 3:00 p.m.

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## **FORTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, April 4, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of grace, even now as Appropriation Committees meet and the State budget is developed, be with all who must make the difficult determinations of full, partial, or no funding. The tight financial situation that currently surrounds this fiscal process confronts and confounds many dreams and promises of what could have been. Bolster the spirits of our public officials as they make decisions that affect the lives of many. Grant them true discernment in their deliberations. Lead them to positions that most effectively distribute the resources of our State into programs and policies that will have the greatest good for all people. Guide us, O God, for we need Your direction and Your wisdom. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Boyd-McIntyre, Gray, and Insko for today.

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

April 4, 2001

**H.B. 163**, AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO FUND FURNITURE MARKET IMPROVEMENTS. (S.L. 2001-11)

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hill, Chair, for the Committee on Agriculture:

**S.B. 779** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 4**, A BILL TO BE ENTITLED AN ACT TO ALLOW LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 81**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE DEATH BENEFIT FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 777**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GASTONIA FIREMEN'S SUPPLEMENTARY PENSION FUND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 311**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 440**, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 350**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO SHARE WITH THE FEDERAL AND STATE FINANCIAL INSTITUTION REGULATORS INFORMATION ABOUT INSURANCE COMPANIES THAT ARE AFFILIATES OF DEPOSITORY INSTITUTIONS OR OF FINANCIAL HOLDING COMPANIES; TO AMEND THE INSURANCE HOLDING COMPANY ACT AND AN INSURANCE COMPANY INVESTMENT STATUTE TO COMPLY WITH FEDERAL LAW, IN ACCORDANCE WITH THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.



By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 387**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES FOR DEVELOPMENTALLY DISABLED ADULTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 5. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX CREDITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 571**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

April 3, 2001

### MEMORANDUM

**TO:** The Honorable James B. Black  
Speaker of the House of Representatives

**FROM:** Representative Warren C. Oldham, Chair  
University Board of Governors Nominating Committee

**SUBJECT:** Committee Report of Nominees for House Election of the  
Board of Governors of The University of North Carolina

Listed below, by category, are the nominees for consideration by the members of the House of Representatives in the forthcoming election to the Board of Governors of The University of North Carolina under House Resolution 542. The names of the nominees are listed in alphabetical order

April 4, 2001

within each category. The members of the Committee voted for the nominees at a meeting held on Tuesday, April 3, 2001.

I certify that these nominees are legally qualified to serve and are willing to serve if elected.

AT-LARGE CATEGORY (6 Seats to Fill)

Bradley T. Adcock  
James G. Babb  
Hoyt Q. Bailey  
Cherri Cheek  
Phillip Ray Dixon, Sr.  
Dudley E. Flood  
H. Frank Grainger  
Adelaide Daniels Key  
Charles H. Mercer, Jr.  
John L. Sanders  
Robert F. Warwick  
Harold H. Webb

POLITICAL MINORITY PARTY CATEGORY (2 Seats to Fill)

John F. A. V. Cecil  
Craig Souza

MINORITY RACE CATEGORY (1 Seat to Fill) - (2 Years, Unexpired Term)

Virginia K. Newell  
Gladys Ashe Robinson

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representatives Baddour and Russell:

**H.B. 966**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITION IN PROSECUTORIAL DISTRICT EIGHT TO ALLOW FOR THE ASSIGNMENT OF SENIOR ASSISTANT DISTRICT ATTORNEYS TO THE FAMILY COURT PILOT IN THAT DISTRICT, is referred to the Committee on Appropriations.

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By Representative Russell:

**H.B. 967**, A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE RECOVERIES IN PROPERTY DAMAGE, PERSONAL INJURY, AND WRONGFUL DEATH ACTIONS BY ALLOWING EVIDENCE OF OTHER SOURCES OF RECOVERY, is referred to the Committee on Judiciary II.

By Representatives Culp and Gibson (Primary Sponsors); Brubaker, Hackney, Hill, Insko, McCombs, Mitchell, Owens, Setzer, Teague, Tolson, Tucker, Underhill, Warwick, Weatherly, G. Wilson, and Yongue:

**H.B. 968**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES, is referred to the Committee on Ways and Means.

By Representative Hackney:

**H.B. 969**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS, is referred to the Committee on Finance.

By Representatives Capps, Barnhart, Davis, Gulley, Hilton, Johnson, Rayfield, Setzer, and Shubert:

**H.B. 970**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OWNER OF A VEHICLE IS PRESUMED RESPONSIBLE FOR AN INFRACTION FOR A LITTER VIOLATION THAT INVOLVES THE OWNER'S MOTOR VEHICLE, is referred to the Committee on Judiciary III.

By Representatives Capps, Barnhart, Blust, Davis, Decker, Eddins, Ellis, Gillespie, Gulley, Hilton, Johnson, McComas, Rayfield, Setzer, Shubert, and Starnes:

**H.B. 971**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AUTHORITY OF A SOCIAL WORKER TO ENTER A PRIVATE

RESIDENCE FOR INVESTIGATION PURPOSES, is referred to the Committee on Judiciary II.

By Representatives Yongue, Arnold, Bonner, and Russell:

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE JURISDICTION AND AUTHORITY OF UNIVERSITY OF NORTH CAROLINA CAMPUS LAW ENFORCEMENT AGENCIES, is referred to the Committee on Education.

By Representatives Alexander, Barefoot, Easterling, Gibson, Hackney, Jeffus, Luebke, McLawhorn, Miller, Underhill, Wainwright, Weiss, Wright, and Yongue:

**H.B. 973**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH DEPARTMENTS IN COUNTIES WITH A SUBSTANTIAL NUMBER OF SPANISH-SPEAKING RESIDENTS, is referred to the Committee on Appropriations.

By Representatives Allen, Barefoot, Bonner, Bowie, Church, Coates, Culp, Dedmon, Dockham, Edwards, Fox, Gibson, Haire, Hall, Hensley, Hill, Hilton, Jarrell, Jeffus, Lucas, Luebke, McLawhorn, McMahan, Morris, Owens, Preston, Redwine, Russell, Setzer, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, C. Wilson, Wright, and Yongue:

**H.B. 974**, A BILL TO BE ENTITLED AN ACT TO ADDRESS SOME OF NORTH CAROLINA'S PUBLIC HEALTH PROBLEMS IN SHORTAGES OF LICENSED DENTAL PERSONNEL IN RURAL AND LOW-INCOME AREAS BY DEVELOPING PATHWAYS FOR NORTH CAROLINA STATE LICENSING OF DENTISTS AND DENTAL HYGIENISTS WHO ARE ALREADY LICENSED IN OTHER STATES OR JURISDICTIONS THROUGH PROVIDING FOR REVIEW OF THE PROFESSIONAL CREDENTIALS AND OTHER RECORDS OF ACTIVITIES BY APPLICANTS AS AN ALTERNATIVE TO REQUIRING APPLICANTS TO SATISFACTORILY COMPLETE A LICENSING BOARD CLINICAL EXAMINATION; BY ESTABLISHING A LIMITED VOLUNTEER DENTAL LICENSE; BY IMPROVING REGULATORY PROVISIONS FOR DENTAL FACULTY AND STUDENTS; AND BY ENACTING OTHER LICENSING CHANGES, is referred to the Committee on Public Health and, if favorable, to the Committee on Finance.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**S.B. 257** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE TO GIVE THE SECRETARY OF STATE THE AUTHORITY TO PREVENT FRAUDULENT FILINGS AND TO MAKE CLARIFYING CHANGES, is read the first time and referred to the Committee on Judiciary II.

**S.B. 342** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS, is read the first time and referred to the Committee on State Government.

**S.B. 453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF LEXINGTON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, is read the first time and referred to the Committee on Local Government I.

**S.B. 542**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES, is read the first time and referred to the Committee on Health and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 557** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Finance.

**CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

On motion of the Chair, and without objection, **H.J.R. 663**, A JOINT RESOLUTION HONORING THE MEMORY OF THE VICTIMS OF THE IMPERIAL FOOD PRODUCTS FIRE, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 779** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES, is placed on the Calendar for immediate consideration.

Representative Allred offers Amendment No. 1 which is adopted, by electronic vote (85-29).

Representative Blust offers Amendment No. 2 which is adopted, by electronic vote (74-38).

The bill, as amended, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute, as amended, by Special Message.

### **CALENDAR (continued)**

**H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS.

Pursuant to Rule 24.1A(c), the request that Representative Setzer be excused from voting on April 3 is continued.

Representative Howard offers Amendment No. 1.

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 436** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE ELECTROLYSIS PRACTICE ACT RELATING TO FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Buchanan, Cansler, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Preston, Redwine, Russell, Saunders, Sherrill, Smith, Starnes, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 93.

Voting in the negative: Representatives Baker, Brubaker, Capps, Carpenter, Creech, Daughtry, Davis, Decker, Eddins, Esposito, Gillespie, Holmes, Pope, Rayfield, Setzer, Sexton, Shubert, and Thompson - 18.

Excused absences: Representatives Barbee, Boyd-McIntyre, Gray, and Insko - 4.

**H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (106-3).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Creech, Davis, Decker, Gillespie, Hensley, Kiser, Luebke, Starnes, and West - 9.

Excused absences: Representatives Barbee, Boyd-McIntyre, Gray, and Insko - 4.

**H.B. 598** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading, by electronic vote (109-1), and is ordered engrossed and sent to the Senate.

**H.B. 32** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR PRESIDENTIAL ELECTORS WHO REFUSE OR FAIL TO VOTE FOR THE CANDIDATES OF THE PARTY



WHICH NOMINATED THAT ELECTOR, passes its second reading, by electronic vote (85-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

On motion of Representative Goodwin, the bill is withdrawn from the Calendar and placed on the Calendar of April 5.

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, passes its second reading, by electronic vote (82-29).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

Representative McComas requests and is granted permission to be recorded as voting "no". The adjusted vote total is (82-30).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 216** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUBMIT A DRAFT PLAN AMENDMENT TO PROVIDE MEDICAID COVERAGE TO ADULT DAY HEALTH CARE SERVICES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE JUVENILES TO SUBMIT REQUESTS FOR REVIEW OF EXTENDED COMMITMENT DECISIONS WITHIN FIFTEEN DAYS OF

RECEIPT OF THE NOTIFICATION OF EXTENDED COMMITMENT AND TO REQUIRE THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES IN THE JUVENILE CODE.

On motion of Representative Haire and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

**H.B. 363**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN TRIBES, passes its second reading, by electronic vote (104-10), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 435**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNOR MOREHEAD SCHOOL TO PROVIDE STAFF AND OTHER ASSISTANCE TO A NONPROFIT CORPORATION ESTABLISHED TO SUPPORT THE SCHOOL, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 740**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE SERVICES COMMISSION TO OPERATE THE SNACK BAR IN THE LEGISLATIVE OFFICE BUILDING, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**S.B. 779**, AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES.

**CALENDAR (continued)**

**H.B. 555** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Blust, Bowie, Brubaker, Buchanan, Cansler, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Bell, Blue, Capps, Carpenter, Creech, Davis, Decker, Eddins, Gillespie, Hensley, Hilton, Setzer, Shubert, and West - 14.

Excused absences: Representatives Barbee, Boyd-McIntyre, Gray, and Insko - 4.

**H.B. 664**, A BILL TO BE ENTITLED AN ACT RELATING TO ZONING PROTEST PROCEDURES IN THE CITY OF ROCKINGHAM, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 682**, A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 695**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO MECKLENBURG COUNTY

ZONING, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 696**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET RELATING TO MECKLENBURG MUNICIPAL ZONING, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 794**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM ACROSS THE RIGHT-OF-WAY OF A PUBLIC ROAD IN CALDWELL COUNTY FOR THE PURPOSE OF TARGET PRACTICE, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Goodwin and without objection, **H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET, is withdrawn from the Calendar and placed on the Calendar of April 5.

On motion of Representative Culpepper and without objection, **H.B. 593**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS, is withdrawn from the Calendar and placed on the Calendar of April 9.

#### **CALENDAR (continued)**

**H.J.R. 680**, A JOINT RESOLUTION HONORING THE MEMORY AND SERVICE OF DOG HANDLERS AND VISUAL TRACKERS KILLED DURING THE VIETNAM WAR AND RECOGNIZING THE SERVICE OF MILITARY DOGS DURING THAT WAR, passes its

second reading, by electronic vote (111-0), and there being no objection is read a third time.

Representative Pope requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 45** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 118** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NON-RESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES, passes its second reading, by electronic vote (108-3), and remains on the Calendar.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND DUPLIN COUNTIES TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title, and changes the bill from a local bill to a public bill.

## WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), the Speaker withdraws **H.B. 587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRA-TERRITORIAL JURISDICTION, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Local Government I.

## RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 281**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

## REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 226**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ACQUIRE REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 437**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Coates, the House adjourns at 5:41 p.m., in honor and memory of the victims of

the September 3, 1991, Imperial Food Products fire and in honor of the survivors of that tragic incident and their respective families, to reconvene April 5 at 2:00 p.m.

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## **FORTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Thursday, April 5, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, we pause and pray for our service men and women who currently are being held in China. Give them sufficient strength and courage to face the days of their captivity. We also note that being held in bondage is not simply a matter of gunpoint and prison bars. Therefore, we also lift our voices on behalf of those who are enslaved by poverty and low education, or are held captive by prejudice and bigotry, or interned by sickness, fear, or failure. Show us how we can be agents of liberation, by breaking down barriers or building up bridges. Use us as Your servants to bring good news to the poor and set free those who are held captive. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Boyd-McIntyre, Gray, Hurley, Insko, and Sutton for today. Representatives Bonner, McMahan, Oldham, Sherrill, and Thompson are excused for a portion of the session.

### **THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE**

North Carolina General Assembly  
House of Representatives  
State Legislative Building  
Raleigh 27601-1096

April 5, 2001

April 4, 2001

The Honorable James B. Black,  
Speaker of the House  
Members of the North Carolina  
House of Representatives  
Raleigh, NC 27699-0301

Dear Mr. Speaker and Members of the House:

It has been my great honor for over six years to serve the people of North Carolina, and most specifically the people of House District 51, as a Member of the North Carolina House of Representatives. One of the most difficult decisions I have ever made has been to leave the General Assembly to accept the responsibilities of the office of Deputy Secretary of Health and Human Services. After much thought and prayer, I look forward to those challenges and my ability to serve the State in a new capacity. Therefore, I will resign my office as a Member of the North Carolina House of Representatives from House District 51 effective the end of the day, Sunday, April 8, 2001.

I appreciate the friendships we have established, and I look forward to continuing to work with you in my new capacity to the benefit of the people of our State.

Sincerely,  
S/ Lanier M. Cansler

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 552**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR OPTIONAL TWO-YEAR LICENSE PLATES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

April 5, 2001



**H.B. 600**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AT ANY PERMANENT DRIVERS LICENSE OFFICE WITH THREE OR MORE EXAMINERS, ONE SHALL TAKE APPOINTMENTS FOR DRIVERS LICENSE RENEWALS FOR COUNTY RESIDENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**H.B. 599**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 702**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO DISPOSE OF WETLANDS MITIGATION BANKING CREDITS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 429**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 71** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRALS**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Community Colleges:

**H.B. 443**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NORTH CAROLINA COMMUNITY COLLEGES INSTRUCTIONAL TRUST FUND.

**H.B. 938**, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES.

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

The following are introduced, read the first time and referred to committee:

By Representatives Nesbitt, Blue, and Morris (Primary Sponsors); Alexander, Cansler, Cole, Haire, Hilton, Redwine, Sherrill, Smith, Wainwright, and Walend:

**H.B. 975**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FREE CIRCULATION PUBLICATIONS FROM THE SALES TAX, is referred to the Committee on Finance.

By Representatives Nesbitt, Alexander, Cansler, Hilton, Kiser, Redwine, Sherrill, Smith, Wainwright, and Walend:

**H.B. 976**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE WOMEN AT RISK PROGRAM, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Alexander, and Michaux (Primary Sponsors); Barefoot, Buchanan, Fitch, Goodwin, Hackney, Haire, Insko, Luebke, Smith, and Wainwright:

**H.B. 977**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Nesbitt, Alexander, and Michaux (Primary Sponsors); Baddour, Barefoot, Blue, Fitch, Goodwin, Hackney, Haire, Hensley, Insko, Luebke, Miller, Sherrill, Smith, Tolson, Wainwright, and Weiss:

**H.B. 978**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GRANTS TO REIMBURSE COUNTIES FOR CONDUCTING EARLY VOTING AT SATELLITE LOCATIONS, is referred to the Committee on Appropriations.

By Representatives Lucas, Adams, Alexander, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Coates, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fox, Goodwin, Haire, Holliman, Hurley, Jeffus, McAllister, McLawhorn, Michaux, Nesbitt, Oldham, Owens, Rogers, Shubert, Smith, Sutton, Teague, Tolson, Underhill, Wainwright, Walker, Warner, Warwick, West, Womble, and Yongue:

**H.B. 979**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ISSUE SPECIAL HIGH SCHOOL

DIPLOMAS TO VETERANS OF WORLD WAR II WHO HAVE NOT PREVIOUSLY RECEIVED DIPLOMAS, is referred to the Committee on Education.

By Representatives Lucas, Adams, Alexander, Baddour, Barefoot, Bonner, Boyd-McIntyre, Church, Coates, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fox, Goodwin, Hackney, Haire, Hall, Holliman, Hurley, Jeffus, Luebke, McAllister, McLawhorn, Michaux, Nesbitt, Oldham, Owens, Rogers, Shubert, Smith, Sutton, Tolson, Underhill, Wainwright, Walker, Warner, Warwick, West, Womble, and Yongue:

**H.B. 980**, A BILL TO BE ENTITLED AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Jeffus, Adams, and Wainwright (Primary Sponsors); Alexander, Allen, Baddour, Barefoot, Bell, Blue, Bonner, Boyd-McIntyre, Buchanan, Church, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Edwards, Fitch, Fox, Gibson, Gray, Haire, Hall, Hensley, Hurley, Lucas, Luebke, McAllister, McLawhorn, Michaux, Miller, Morris, Nesbitt, Nye, Owens, Redwine, Saunders, Sherrill, Smith, Sutton, Thompson, Tolson, Tucker, Warner, Warren, Warwick, Weiss, Womble, Wright, and Yongue:

**H.B. 981**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HUMANITIES COUNCIL, is referred to the Committee on Appropriations.

By Representatives Edwards and Barefoot:

**H.B. 982**, A BILL TO BE ENTITLED AN ACT REVISING THE HOUSING AUTHORITY EXEMPTION FROM STATUTES REGULATING REAL ESTATE BROKERS AND SALESMEN AND CLARIFYING THE HOUSING AUTHORITY EXEMPTION FROM STATUTES REGULATING PROCUREMENT, is referred to the Committee on Ways and Means.

By Representatives Culp, Brubaker, Hill, Holmes, Mitchell, Teague, Tolson, Warwick, and G. Wilson:

**H.B. 983**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OWNERS OF LAND ASSOCIATED WITH WATERSHED IMPROVEMENT PROJECTS HAVE LIMITED LIABILITY WITH REGARD TO CERTAIN MEMBERS OF THE PUBLIC ENTERING THE LAND FOR

EDUCATIONAL AND RECREATIONAL PURPOSES, is referred to the Committee on Judiciary I.

By Representatives Hill and Gibson (Primary Sponsors); and Morris:

**H.B. 984**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS REGULATING LANDSCAPE CONTRACTORS, TO INCLUDE IRRIGATION CONTRACTORS UNDER THE LAWS REGULATING LANDSCAPE CONTRACTORS, TO ALLOW THE GENERAL ASSEMBLY TO APPOINT TWO OF THE NINE MEMBERS TO THE NORTH CAROLINA LANDSCAPE/IRRIGATION CONTRACTORS' LICENSING BOARD, AND TO AUTHORIZE THE BOARD TO INCREASE FEES, is referred to the Committee on Finance.

By Representatives Hilton, Barnhart, Buchanan, Capps, Carpenter, Davis, Eddins, Ellis, Gillespie, Harrington, Howard, Johnson, Russell, Setzer, Sexton, Starnes, Walker, Weatherly, and West:

**H.B. 985**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO HAS A VALID CONCEALED HANDGUN PERMIT FROM ANOTHER STATE MAY CARRY A CONCEALED HANDGUN IN COMPLIANCE WITH STATE LAW IN NORTH CAROLINA AND TO DIRECT THE DEPARTMENT OF JUSTICE TO ENTER RECIPROCITY AGREEMENTS WITH ALL STATES THAT RECOGNIZE NORTH CAROLINA'S HANDGUN PERMIT AS VALID, is referred to the Committee on Judiciary III.

By Representatives Smith and Preston:

**H.B. 986**, A BILL TO BE ENTITLED AN ACT CONCERNING THE NORTH CAROLINA PORTS RAILWAY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Michaux, Luebke, Miller, Wainwright, and Weiss:

**H.B. 987**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MUSEUM OF LIFE AND SCIENCE FOR CAPITAL EXPANSION, is referred to the Committee on Appropriations.

By Representatives Michaux and Luebke (Primary Sponsors):

**H.B. 988**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO

ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS, is referred to the Committee on Education.

By Representatives Michaux and Sutton (Primary Sponsors); and Barefoot:

**H.B. 989**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR GUBERNATORIAL APPOINTMENT OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS SUBJECT TO CONFIRMATION BY THE GENERAL ASSEMBLY AND TO PROVIDE FOR RETENTION BY VOTE OF THE PEOPLE, is referred to the Committee on Judiciary II.

By Representatives Michaux and Luebke (Primary Sponsors):

**H.B. 990**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS, is referred to the Committee on Education.

By Representatives Tucker, Barefoot, Cunningham, Easterling, Haire, Luebke, McLawhorn, Russell, Smith, Underhill, Wainwright, Walend, Warren, and Weiss:

**H.B. 991**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUE REGARDING THE EQUITY AND IMPACT OF THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Earle, Decker, Saunders, and Wainwright:

**H.B. 992**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS REGULATING GENERAL CONTRACTORS AND TO INCREASE THE LICENSURE REQUIREMENTS FOR RESIDENTIAL BUILDING CONTRACTORS, is referred to the Committee on Finance.

By Representatives Earle, Luebke, and Wainwright:

**H.B. 993**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SOCIAL SERVICES COMMISSION TO WAIVE THE WAITING PERIOD FOR CERTAIN INDIVIDUALS TO REAPPLY FOR CASH

ASSISTANCE UNDER THE STANDARD WORK FIRST PROGRAM, is referred to the Committee on Children, Youth and Families.

By Representatives Earle, Barefoot, Russell, and Wainwright:

**H.B. 994**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REQUEST APPROVAL FOR A MEDICAID WAIVER FOR TRAUMATIC BRAIN INJURY SERVICES, is referred to the Committee on Health.

By Representatives Earle, Barefoot, Bell, Bonner, Cox, Edwards, Haire, Lucas, Luebke, Sherrill, Sutton, Wainwright, Warren, Weiss, Wright, and Yongue:

**H.B. 995**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A VARICELLA VACCINE PROGRAM FOR CHILDREN, is referred to the Committee on Appropriations.

By Representatives Earle, Buchanan, Luebke, and Wainwright:

**H.B. 996**, A BILL TO BE ENTITLED AN ACT TO PERMIT RESIDENTS OF NURSING HOMES OR ADULT CARE HOMES, AND THEIR FAMILIES, TO MONITOR THE RESIDENT THROUGH THE USE OF VIDEO CAMERAS OR OTHER ELECTRONIC MONITORING DEVICES AT THE EXPENSE OF THE RESIDENT; TO REQUIRE NURSING HOMES AND ADULT CARE HOMES TO PROVIDE A POWER SOURCE AND MOUNTING SPACE FOR ELECTRONIC MONITORING DEVICES; TO PROHIBIT NURSING HOMES AND ADULT CARE HOMES FROM REFUSING TO ADMIT RESIDENTS BECAUSE OF A REQUEST TO INSTALL ELECTRONIC MONITORING DEVICES; TO REQUIRE THAT TAPES FROM MONITORING DEVICES BE ADMISSIBLE IN CRIMINAL AND CIVIL ACTIONS SUBJECT TO THE RULES OF EVIDENCE; AND TO IMPOSE CRIMINAL PENALTIES, is referred to the Committee on Health.

By Representative Earle:

**H.B. 997**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES, is referred to the Committee on Education.

By Representatives Pope, Walend, and Goodwin (Primary Sponsors):

**H.B. 998**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED, is referred to the Committee on Judiciary II.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 10** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BALLOT ACCESS LAWS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 221**, A BILL TO BE ENTITLED AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE CONFORMING CHANGES TO CHAPTER 126, is read the first time and referred to the Committee on Public Health.

**S.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP, is read the first time and referred to the Committee on Public Utilities.

### ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA

Representative Luebke requests that he be excused from voting in the election, because of a conflict of interest, pursuant to Rule 24.1A, and this request is granted.

Representative Oldham explains the rules of voting pursuant to **H.R. 542**, A HOUSE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.



Pursuant to the resolution, ballots are distributed to the Members and the election proceeds.

Representative Oldham, along with Representatives Bonner, McMahan, and Sherrill, retire from the Chamber to canvass the vote.

### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND DUPLIN COUNTIES TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

On motion of Representative Mitchell, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

Representative Gillespie requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-0).

**H.B. 555** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Barnhart, Bell, Bowie, Brubaker, Buchanan, Cansler, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Esposito, Fitch, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Holliman, Holmes, Howard, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Smith, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 87.

Voting in the negative: Representatives Allred, Baker, Blue, Blust, Capps, Carpenter, Creech, Davis, Decker, Eddins, Ellis, Gillespie, Hensley, Hilton, Setzer, Shubert, Starnes, and West - 18.

Excused absences: Representatives Barbee, Bonner, Boyd-McIntyre, Gray, Hurley, Insko, McMahan, Oldham, Sherrill, and Sutton - 10.

**H.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH CIVIL PENALTIES FOR SELLING CARS IN VIOLATION OF THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, AND TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSURE FOR USED MOTOR VEHICLE DEALERS.

Pursuant to Rule 24.1A(c), the request that Representative Setzer be excused from voting on April 4 is continued.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bowie, Brubaker, Buchanan, Cansler, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Creech, Davis, Decker, Gillespie, Hensley, Luebke, Starnes, and West - 9.

Excused absences: Representatives Barbee, Bonner, Boyd-McIntyre, Gray, Hurley, Insko, McMahan, Oldham, Sherrill, and Sutton - 10.

Excused vote: Representative Setzer.

**H.B. 436** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE

ELECTROLYSIS PRACTICE ACT RELATING TO FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Blust, Bowie, Buchanan, Cansler, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Holliman, Howard, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Smith, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 80.

Voting in the negative: Representatives Allred, Baker, Barnhart, Brubaker, Capps, Carpenter, Creech, Daughtry, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Harrington, Hilton, Holmes, Kiser, Pope, Rayfield, Setzer, Shubert, Starnes, Thompson, and Walker - 25.

Excused absences: Representatives Barbee, Bonner, Boyd-McIntyre, Gray, Hurlay, Insko, McMahan, Oldham, Sherrill, and Sutton - 10.

**H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE.

Representative Haire offers Amendment No. 1.

Representative Redwine moves that the bill with pending amendment No. 1, be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Representative Redwine withdraws his motion.

Amendment No. 1 fails of adoption, by electronic vote (30-80).

On motion of Representative Redwine, the bill is withdrawn from the Calendar, by electronic vote (60-50), and re-referred to the Committee on Appropriations.

**BOARD OF GOVERNORS OF THE  
UNIVERSITY OF NORTH CAROLINA ELECTION RESULTS**

Representative Oldham, Chair of the Standing Committee on University Board of Governors Nominating, makes the following report concerning the Board of Governors of the University of North Carolina election.

A total of 109 members voted in the election, with one ballot being void, thus 55 votes constitutes a majority in the election.

In the At-Large Category, Bradley T. Adcock received 89 votes; Dudley E. Flood received 86 votes; H. Frank Grainger received 78 votes; James G. Babb received 70 votes; Robert F. Warwick received 63 votes; Charles H. Mercer, Jr., received 59 votes.

In the Political Minority Party Category, John F. A. V. Cecil received 108 votes; Craig Souza received 108 votes.

In the Minority Race Category, Gladys Ashe Robinson received 73 votes.

On motion of Representative Oldham, the following persons are duly elected for terms to the Board of Governors of the University of North Carolina.

In the At-Large Category, to serve a term of four years, Bradley T. Adcock, Dudley E. Flood, H. Frank Grainger, James G. Babb, Robert F. Warwick, and Charles H. Mercer, Jr., are elected.

In the Political Minority Party Category, to serve a term of four years, John F. A. V. Cecil and Craig Souza are elected.

In the Minority Race Category, to fill an unexpired term that ends on June 30, 2003, Gladys Ashe Robinson is elected.

The Senate is so notified of the action taken by Special Message.

**CALENDAR (continued)**

**H.B. 109**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY, passes its third reading, by electronic vote (74-33), and is ordered sent to the Senate.

**S.B. 118** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NON-RESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES, passes its third reading, by electronic vote (105-2), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET.

On motion of Representative Goodwin, the bill is withdrawn from the Calendar and placed on the Calendar of April 10.

**H.B. 387** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES FOR DEVELOPMENTALLY DISABLED ADULTS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.J.R. 746**, A JOINT RESOLUTION HONORING THE MEMORY OF MRS. FRANK WOODS, MRS. HUNDLEY GOVER, MRS. W. STEWART PEERY, MRS. WILLIAM H. MEANOR, MRS. BRUCE A. BEERY, AND MRS. LEE A. THORNBURG, FORMER PRESIDENTS OF THE CHARLOTTE SYMPHONY GUILD UPON THE GUILD'S FIFTIETH ANNIVERSARY, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 950**, A BILL TO BE ENTITLED AN ACT TO RAISE THE ELIGIBILITY CAP FOR PARTICIPATION IN THE AIDS DRUG ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL, reported without prejudice and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 958**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 622**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 819**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Local Government II and re-referred to the Committee on Local Government I:

**H.B. 914**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONE MEMBER OF THE PIEDMONT TRIAD AIRPORT AUTHORITY SHALL BE A RESIDENT OF GUILFORD COUNTY LIVING WITHIN THREE MILES OF THE AIRPORT; and

**S.B. 569**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO USE THE SINGLE-PRIME CONTRACT SYSTEM FOR THE CONSTRUCTION OF A PUBLIC WORKS FACILITY, AN ENVIRONMENTAL EDUCATION CENTER, AND A CIVIC CENTER AND THE RENOVATION OF THE FIRST CITIZENS BANK AND CITY HALL.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 719**, A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 768**, A BILL TO BE ENTITLED AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE

TRAFFIC STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Holmes, that the House adjourn, subject to notices and announcements, to reconvene Monday, April 9, 2001, at 7:00 p.m.

The motion carries.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

April 5, 2001

The Speaker makes the following committee assignment:

**WAYS AND MEANS:** Remove Representative Blue.

The House stands adjourned at 3:33 p.m.

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## **FORTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Monday, April 9, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we seek to follow You along the path of faithfulness. We desire to walk in the way of Your will. Yet, in the public sphere not everyone is who they appear to be, not every friendship is true, not every promise is grounded in commitment. Strengthen us through the betrayals we face. Remind us that You are ever faithful. Send to us good friends whose love and concern can bring healing and hope. Walk with us, O God, and lead us from denial to affirmation and from death to life. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

April 9, 2001



Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Barnhart, Boyd-McIntyre, Brubaker, Lucas, Sutton, and Wright for today. Representative Hunter is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 18**, AN ACT TO ALLOW COUNTIES ADVERSELY AFFECTED BY THE FLOODS ACCOMPANYING HURRICANE FLOYD TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

**H.B. 286**, AN ACT TO CLARIFY THE APPLICABILITY OF DISEASE REPORTING AND INVESTIGATION REQUIREMENTS TO ALL DIAGNOSTIC LABORATORIES.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 447**, AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF NORWOOD AND STAGGERING THOSE TERMS.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 779**, AN ACT TO STRENGTHEN THE STATE VETERINARIAN'S AUTHORITY TO PREVENT AND CONTROL AN OUTBREAK OF FOOT AND MOUTH DISEASE AND ANY OTHER CONTAGIOUS ANIMAL DISEASE AND TO MAKE OTHER TECHNICAL AND CONFORMING CHANGES. (S.L. 2001-12)

**S.B. 85**, AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO ENCOURAGE NORTH CAROLINA BUSINESSES TO

SEEK FEDERAL CONTRACTS WITH THE DEPARTMENT OF DEFENSE AND TO COLLABORATE WITH OTHER GOVERNMENT AND NON-PROFIT ENTITIES TO DEVELOP A PLAN TO EFFECTIVELY PROMOTE AND MARKET THE DEPARTMENT OF DEFENSE AS AN INDUSTRY IN THIS STATE. (S.L. 2001-13)

**H.B. 183**, AN ACT TO ALLOW EMERGENCY SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES TO PERFORM MARRIAGE CEREMONIES. (S.L. 2001-14)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 191**, A BILL TO BE ENTITLED AN ACT TO ALLOW AN ADDITIONAL INCOME TAX DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 34**, A BILL TO BE ENTITLED AN ACT TO BAN BUTTERFLY AND PUNCH-CARD BALLOTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 280**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION AND THEN AN EXTENDED RECESS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 290**, A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, AND TO POSTPONE THE EFFECTIVE DATE OF TAXATION BY THAT TOWN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 10. The original bill is placed on the Unfavorable Calendar.

**H.B. 723**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 709**, A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 620**, A BILL TO BE ENTITLED AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM

SCHOOL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 401**, A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE, with a favorable report as to committee substitute bill unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 421**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

## INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Cox, Barefoot, and Buchanan:

**H.B. 999**, A BILL TO BE ENTITLED AN ACT TO PROVIDE COST-OF-LIVING INCREASES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL

RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Cox and Davis:

**H.B. 1000**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STEVENS FOUNDATION FOR DEVELOPMENTAL AND ENRICHMENT SERVICES FOR THE CONSTRUCTION OF A FACILITY TO SERVE PERSONS WHO ARE DEVELOPMENTALLY DISABLED, is referred to the Committee on Appropriations.

By Representative Wright:

**H.B. 1001**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A PRIMARY CARE HOSPITAL TO REFLECT FEDERAL REQUIREMENTS, is referred to the Committee on Health.

By Representative Wright:

**H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED, is referred to the Committee on Health.

By Representative Gibson:

**H.B. 1003**, A BILL TO BE ENTITLED AN ACT TO GRANT AN ALLOWANCE FOR CONTROLLED HUNTING PRESERVES LICENSED BY THE WILDLIFE RESOURCES COMMISSION FOR THE TAKING OF DOMESTICALLY RAISED GAME BIRDS, is referred to the Committee on Wildlife Resources.

By Representatives Gibson and Goodwin:

**H.B. 1004**, A BILL TO BE ENTITLED AN ACT TO ADD ANSON COUNTY TO THE MODEL TEACHER EDUCATION CONSORTIUM, is referred to the Committee on Education.

By Representatives Gibson, Barefoot, Goodwin, and Wainwright:

**H.B. 1005**, A BILL TO BE ENTITLED AN ACT TO MAKE IT ILLEGAL TO POSSESS FRAUDULENT IDENTIFICATION WHILE ATTEMPTING TO ENTER A PERMITTEE OR OBTAIN ALCOHOLIC BEVERAGES, is referred to the Committee on Alcoholic Beverage Control.

By Representative Gibson:

**H.B. 1006**, A BILL TO BE ENTITLED AN ACT TO AMEND ENVIRONMENTAL REPORTING REQUIREMENTS, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson and Warwick (Primary Sponsors):

**H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL STATUTES OF THE STATE OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Gibson, McMahan, and Morris:

**H.B. 1008**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET FOR CERTAIN PROVISIONS REGARDING CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson, Baker, and Allen (Primary Sponsors); Arnold, Cole, Cox, Creech, Culp, Daughtry, Fox, Harrington, Hill, Holmes, McMahan, Morris, Owens, Smith, Underhill, Warwick, Weatherly, and Wright:

**H.B. 1009**, A BILL TO BE ENTITLED AN ACT TO EXPAND AND MAKE CONSISTENT THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ALLOW FOR RISK-BASED REMEDIAL ACTIONS, is referred to the Committee on Environment and Natural Resources.

By Representatives Morris, Carpenter, Esposito, Gillespie, Hilton, McComas, and Walend:

**H.B. 1010**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EFFECTIVE CONSCIENCE PROTECTION IN THE INSURANCE LAW PERTAINING TO COVERAGE FOR PRESCRIPTION CONTRACEPTIVE DRUGS OR DEVICES AND FOR OUTPATIENT CONTRACEPTIVE SERVICES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morris, Blust, Cansler, Capps, Carpenter, Clary, Davis, Decker, Ellis, Esposito, Gillespie, Hilton, McMahan, Setzer, Sexton, Shubert, and Starnes:

**H.B. 1011**, A BILL TO BE ENTITLED AN ACT TO EXTEND CONSCIENCE PROTECTION TO PHARMACISTS AND OTHER

HEALTH CARE PROVIDERS WHO REFUSE TO PARTICIPATE IN OR DISPENSE ABORTIFACIENTS ON MORAL GROUNDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morris:

**H.B. 1012**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF PHYSICIAN-ASSISTED SUICIDE, is referred to the Committee on Judiciary I.

By Representatives Morris, Bowie, Clary, McAllister, and Preston:

**H.B. 1013**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS TO INCREASE FEES AND REQUIRING CONTINUING EDUCATION OF PERSONS PRACTICING UNDER THE COSMETIC ART ACT, is referred to the Committee on Finance.

By Representatives Morris, Adams, Allred, Clary, Easterling, Fitch, Gulley, Johnson, Justus, Luebke, McAllister, McMahan, Sherrill, and Smith:

**H.B. 1014**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PRACTICE OF MIDWIFERY BY CERTIFIED PROFESSIONAL MIDWIVES, is referred to the Committee on Finance.

By Representatives Nesbitt and Haire (Primary Sponsors); Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Bonner, Bowie, Buchanan, Carpenter, Church, Coates, Cole, Cox, Earle, Easterling, Edwards, Fitch, Fox, Gibson, Goodwin, Hackney, Hall, Hensley, Hill, Holliman, Hurley, Jarrell, Jeffus, Lucas, Luebke, McAllister, McLawhorn, Miller, Oldham, Redwine, Saunders, Shubert, Smith, Sutton, Tucker, Underhill, Wainwright, Warner, Weiss, West, Womble, Wright, and Yongue:

**H.B. 1015**, A BILL TO BE ENTITLED AN ACT TO IMPROVE AIR QUALITY IN THE STATE BY REQUIRING REDUCTIONS IN THE EMISSIONS OF CERTAIN POLLUTANTS FROM CERTAIN FACILITIES THAT BURN COAL TO GENERATE ELECTRICITY, is referred to the Committee on Public Utilities and, if favorable, to the Committee on Environment and Natural Resources.

By Representatives Lucas, Goodwin, and Morris:

**H.J.R. 1016**, A JOINT RESOLUTION HONORING THE MEMORY OF GRADY HOWARD UPON THE FIFTIETH ANNIVERSARY OF THE TOWN OF SPRING LAKE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barefoot, Buchanan, Cox, Gillespie, Goodwin, Morris, Shubert, Smith, Wainwright, and Yongue:

**H.B. 1017**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Yongue, Arnold, Barefoot, Bonner, Rogers, Wainwright, and Warner:

**H.B. 1018**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA HIGH PRIORITY SCHOOL ASSISTANCE AND ACCOUNTABILITY ACT OF 2001, is referred to the Committee on Appropriations.

By Representatives Mitchell, Hunter, and Owens (Primary Sponsors):

**H.B. 1019**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEPTAGE MANAGEMENT PROGRAM AND TO AUTHORIZE CERTAIN PERMIT FEES UNDER THAT PROGRAM, is referred to the Committee on Public Health and, if favorable, to the Committee on Finance.

By Representatives Goodwin, Barefoot, Dedmon, and Shubert:

**H.B. 1020**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ASSAULT INFLECTING SERIOUS INJURY ON A LAW ENFORCEMENT OFFICER IS A CLASS F FELONY AND TO MAKE IT A CLASS I FELONY TO ASSAULT A LAW ENFORCEMENT OFFICER, is referred to the Committee on Judiciary III.

By Representatives Goodwin, Buchanan, and Coates:

**H.R. 1021**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RAILROAD EMPLOYEES WHO DIED WHILE IN THE



PERFORMANCE OF THEIR DUTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin and Buchanan:

**H.B. 1022**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER TWENTY-EIGHT YEARS OF SERVICE AND TO ESTABLISH A RETENTION INCENTIVE PROGRAM FOR MEMBERS OF THE RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Mitchell:

**H.B. 1023**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representative Justus:

**H.B. 1024**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representatives Justus and Sutton:

**H.B. 1025**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representatives Justus and Sutton:

**H.B. 1026**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representative Mitchell:

**H.B. 1027**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representative Mitchell:

**H.B. 1028**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representative Mitchell:

**H.B. 1029**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representatives Clary, Alexander, Barefoot, Cansler, Dedmon, Harrington, Hilton, Kiser, Luebke, Morris, Nye, Rayfield, and Weatherly:

**H.B. 1030**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEDICAID REIMBURSEMENT SHALL BE MADE DIRECTLY TO ICCD CERTIFIED CLUBHOUSE MODEL PSYCHOSOCIAL PROGRAMS FOR MEDICAID-ELIGIBLE SERVICES PROVIDED BY THE PROGRAMS, is referred to the Committee on Health.

By Representatives Adams, Alexander, Blue, Fitch, Hensley, Lucas, Luebke, McAllister, Michaux, Nesbitt, Wainwright, and Womble:

**H.B. 1031**, A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE TO A LIVABLE WAGE, is referred to the Committee on Appropriations.

By Representatives Nye and Smith:

**H.B. 1032**, A BILL TO BE ENTITLED AN ACT LIMITING RETROSPECTIVE REVIEWS UNDER UTILIZATION REVIEW IN HEALTH BENEFIT PLANS, is referred to the Committee on Insurance.

By Representatives Nye and Smith:

**H.B. 1033**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILD CARING INSTITUTIONS, is referred to the Committee on Appropriations.

By Representatives Wainwright and Underhill (Primary Sponsors); Alexander, Barefoot, Luebke, and McLawhorn:

**H.J.R. 1034**, A JOINT RESOLUTION HONORING THE MEMORY OF MEMBERS OF PAST GENERAL ASSEMBLIES AND THE FIRST TRYON PALACE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**S.B. 220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW DEFINING THE TIME STOCK AND OTHER EQUITY INTERESTS IN BUSINESS ASSOCIATIONS ARE PRESUMED ABANDONED FOR PURPOSES OF THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 299**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, is read the first time and referred to the Committee on Environment and Natural Resources.

**CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 385** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Culpepper, the bill is withdrawn from the Calendar and placed on the Calendar of April 10.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 3** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole,

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Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: Representatives Hensley and Kiser - 2.

Excused absences: Representatives Arnold, Barnhart, Boyd-McIntyre, Brubaker, Lucas, Sutton, and Wright - 7.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 274** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN STATUTORY TERMS AND REFERENCES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, passes its second reading, by electronic vote (103-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Yongue, and without objection, **H.B. 362** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ACKNOWLEDGING THE AUTHORITY OF STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE, is withdrawn from the Calendar and placed on the Calendar of April 10.

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 332** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE BUSINESS ENERGY IMPROVEMENT PROGRAM, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 558** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REAL ESTATE COMMISSION TO ADOPT RULES TO PERMIT REAL ESTATE BROKERS TO PAY TRAVEL AGENTS FOR PROCURING POTENTIAL TENANTS IN VACATION RENTALS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 593**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS, passes its second reading, by electronic vote (92-16), and there being no objection is read a third time.

Representative Goodwin requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (93-16).

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 665**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR ASSAULT, BATTERY, AND FALSE IMPRISONMENT TO THREE YEARS IN ORDER TO PROVIDE THAT THE PERIOD OF LIMITATIONS FOR THESE INTENTIONAL TORTS IS AS LONG AS THE PERIOD OF LIMITATIONS FOR UNINTENTIONAL TORTS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 700** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE THE NAME ON THE NOTARY SEAL DOES NOT COMPORT EXACTLY WITH THE NAME ON THE NOTARY COMMISSION, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 824** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE INSTALLATION OF AN ACCESSIBLE CLEAN-OUT AT THE JUNCTION OF THE PUBLIC SEWER LINE AND THE HOUSE OR BUILDING SEWER LINE, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### INTRODUCTION OF PAGES

Pages for the week of April 9 are introduced to the membership. They are: Shonta Arnold of Wake; Krisitie Nicole Brooks of Cumberland; Sharice Dowe of Cumberland; Sarah Edwards of Cumberland; Ashton Epps of Wake; Marie Epps of Wake; Meredith Hatcher of Wake; Reginald Jones of Wake; Jared Lanier of Onslow; Gregory Larkin of Wake; Margaret Long of Gaston; Paige McKinney of Mitchell; Jessica Morgan of Mitchell; Mary Ellen Nelms of Pitt; Emily Ross of Beaufort; Courtney Shaver of Wake; and Kristen Sutton of Rowan.

On motion of Representative Culpepper, seconded by Representative Warner, the House adjourns at 7:55 p.m. to reconvene April 10 at 3:00 p.m.

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## **FORTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, April 10, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, when the Israelites cried out from their bondage and begged for deliverance You heard them. But You called Moses from a burning bush and sent Moses to be the agent of Your liberation. Your presence never left him and Your power never failed him. By keeping his eyes upon Your goal, he succeeded in bringing comfort to his people.

"Come and make Yourself and Your will known to us. Open our eyes to the bushes that burn with the revelation of Your grace and mercy. Open our ears to Your call to be agents of Your liberation. Give us Your presence and power that we might discern how best to enhance the lives of our constituents and bring the comfort of Your justice to our land. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Fitch, Gray, and Hunter for today. Representative Baddour is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

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**H.B. 668** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH MEDIATED SETTLEMENT PROCEDURES IN DISTRICT COURT ACTIONS INVOLVING FAMILY FINANCIAL ISSUES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 11. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 697**, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

**H.B. 712**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

**H.B. 807**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

**H.B. 838**, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

**H.B. 879**, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:



**H.J.R. 771**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDMUND HARDING AND COMMEMORATING THE TERCENTENARY OF THE FOUNDING OF BATH, FIRST TOWN IN THE COLONY OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 11.

**H.J.R. 1034**, A JOINT RESOLUTION HONORING THE MEMORY OF MEMBERS OF PAST GENERAL ASSEMBLIES AND THE FIRST TRYON PALACE COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 727**, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF FUNDS BY THE DARE COUNTY DEPARTMENT OF SOCIAL SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

**H.B. 885**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND ENVIRONMENTAL EDUCATION FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

**S.B. 399**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 576**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 666**, A BILL TO BE ENTITLED AN ACT MAKING IT A CRIMINAL OFFENSE TO OBTAIN AMBULANCE SERVICES FRAUDULENTLY IN HALIFAX COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 11.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 356**, A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative J. Crawford, Chair, for the Committee on Mental Health:

**H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of Standing Committee Chairs for report to be made directly to the floor of the House:

**H.B. 410**, A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL PROPERTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 11. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Thompson:

**H.B. 1035**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representative Thompson:

**H.B. 1036**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH SENATORIAL DISTRICTS AND TO APPORTION SEATS IN THE SENATE AMONG DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representative Harrington:

**H.B. 1037**, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING BATHROOM FACILITIES, is referred to the Committee on Local Government I.

By Representatives Capps, Allred, Barnhart, Blust, Brubaker, Carpenter, Clary, Creech, Culp, Davis, Decker, Eddins, Ellis, Esposito,

Gillespie, Grady, Gulley, Harrington, Hiatt, Hilton, Howard, Johnson, Justus, Kiser, McComas, McCombs, Morris, Rayfield, Setzer, Sexton, Shubert, Starnes, Thompson, Walend, Walker, West, and C. Wilson:

**H.B. 1038**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COVERAGE FOR ABORTIONS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Health.

By Representatives Easterling, Alexander, Barefoot, Culpepper, Cunningham, Earle, Gulley, Hensley, Saunders, and Tolson:

**H.B. 1039**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR PUBLIC TELEVISION, is referred to the Committee on Appropriations.

By Representatives Easterling, Oldham, Redwine, and Thompson (Primary Sponsors):

**H.B. 1040**, 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, is referred to the Committee on Appropriations.

By Representatives Lucas, Adams, Bell, Bonner, Buchanan, Coates, Cunningham, Earle, Goodwin, Hackney, Hall, Luebke, McAllister, McLawhorn, Michaux, Morris, Oldham, Rogers, Tolson, Wainwright, Warner, West, and Womble:

**H.B. 1041**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Lucas, Adams, Buchanan, Gulley, Morris, Oldham, Sexton, Wainwright, Warner, and West:

**H.B. 1042**, A BILL TO BE ENTITLED AN ACT TO ALLOW HOLDERS OF AGE 70 LIFETIME SPORTSMAN LICENSES TO USE CROSSBOWS DURING ANY HUNTING SEASON, is referred to the Committee on Wildlife Resources.

By Representatives Gulley and Sexton (Primary Sponsors); and Culp:

**H.B. 1043**, A BILL TO BE ENTITLED AN ACT TO PROVIDE WILDLIFE PROTECTORS WITH AUTHORITY TO ENFORCE THE LAWS AGAINST TRESPASSING UPON POSTED PROPERTY, is referred to the Committee on Wildlife Resources.

By Representatives Tolson, McLawhorn, Tucker, and Warren:

**H.B. 1044**, A BILL TO BE ENTITLED AN ACT TO STUDY THE FEASIBILITY OF ESTABLISHING A SCHOOL OF ENGINEERING AT EAST CAROLINA UNIVERSITY AND TO APPROPRIATE FUNDS FOR THAT STUDY, is referred to the Committee on Appropriations.

By Representatives Baddour, Alexander, Blue, Daughtry, Dedmon, Dockham, Fitch, Gibson, Goodwin, Hackney, McComas, Michaux, Mitchell, Pope, Smith, Thompson, Wainwright, and Weiss:

**H.B. 1045**, A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, is referred to the Committee on Insurance.

By Representatives Alexander and Wainwright:

**H.B. 1046**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ACCURACY AND UNDERSTANDABILITY OF PRECINCT DATA, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Alexander, Goodwin, and Wainwright:

**H.B. 1047**, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROTECTION FOR REGISTERED VOTERS TO ADDRESS SAFETY MEASURES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Redwine, Hurley, Owens, and Shubert:

**H.B. 1048**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL NOT MANDATE ADDITIONAL COVERAGE BEYOND WHAT IS REQUIRED AS OF DECEMBER 31, 2001, WITH CERTAIN EXCEPTIONS; AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF HEALTH INSURANCE MANDATES, is referred to the Committee on Insurance.

By Representative Dockham:

**H.B. 1049**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representative Dockham:

**H.B. 1050**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representative Dockham:

**H.B. 1051**, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO THIRTEEN CONGRESSIONAL DISTRICTS, is referred to the Committee on Congressional Redistricting.

By Representative Baker:

**H.B. 1052**, A BILL TO BE ENTITLED AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS, is referred to the Committee on Judiciary III.

By Representatives Baddour, McMahan, Gibson, and Cox (Primary Sponsors):

**H.B. 1053**, A BILL TO BE ENTITLED AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR, is referred to the Committee on Judiciary II.

By Representatives Baddour, Morris, and Wainwright:

**H.B. 1054**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA MILITARY AFFAIRS COUNCIL, is referred to the Committee on Appropriations.

By Representatives Justus and Sutton:

**H.B. 1055**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH HOUSE DISTRICTS, is referred to the Committee on Legislative Redistricting.

By Representatives Allen, Luebke, Buchanan, and Wainwright (Primary Sponsors):

**H.B. 1056**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Mitchell:

**H.B. 1057**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COMMISSIONER OF LABOR TO ESTABLISH FEES RELATING TO ELEVATOR AND AMUSEMENT DEVICE INSPECTIONS AND CERTIFICATIONS, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1058**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION, IF APPROVED BY THE VOTERS IN THE 2002 GENERAL ELECTION, TO LEVY AN ADDITIONAL

EXCISE TAX ON TRANSFERS OF REAL PROPERTY TO BE USED ONLY TO CONSERVE OPEN SPACE, FARMLAND, AND SURFACE WATERS; TO CREATE THE NORTH CAROLINA OPEN SPACE AND FARMLAND CONSERVATION TRUST FUND; AND TO INCREASE THE EXCISE TAX AND CREDIT THESE ADDITIONAL PROCEEDS TO THE NORTH CAROLINA OPEN SPACE AND FARMLAND CONSERVATION TRUST FUND, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Gibson:

**H.B. 1059**, A BILL TO BE ENTITLED AN ACT TO EQUALIZE SALES AND USE TAXES ON RETURNABLE PALLETS, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1060**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENVIRONMENTAL REMEDIATION AND RESTORATION ACTIVITIES ARE NOT STATE CAPITAL IMPROVEMENT PROJECTS, is referred to the Committee on State Government.

By Representative Gibson:

**H.B. 1061**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN PUBLIC WATER SYSTEMS THAT RESELL WATER FROM THE NORTH CAROLINA DRINKING WATER ACT, is referred to the Committee on Public Health.

By Representative Gibson:

**H.B. 1062**, A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1063**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERFORMANCE-BASED CLEANUPS OF DISCHARGES OR RELEASES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS, is referred to the Committee on Environment and Natural Resources.



By Representatives Gibson, Allen, and Shubert:

**H.B. 1064**, A BILL TO BE ENTITLED AN ACT TO EXEMPT SALES TO MANUFACTURERS OF ELECTRICITY USED TO MANUFACTURE ALUMINUM FROM SALES AND USE TAX, is referred to the Committee on Finance.

By Representatives Gibson and Luebke (Primary Sponsors):

**H.B. 1065**, A BILL TO BE ENTITLED AN ACT TO REQUIRE OWNERS OF RESIDENTIAL SWIMMING POOLS TO ERECT PROTECTIVE BARRIERS TO PREVENT ACCIDENTAL DROWNINGS, is referred to the Committee on Ways and Means.

By Representatives Tolson, Saunders, and Tucker (Primary Sponsors); Goodwin and Wainwright:

**H.B. 1066**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR PLACING INTO SERVICE BROADBAND INTERNET ACCESS EQUIPMENT, is referred to the Committee on Finance.

By Representative Smith:

**H.B. 1067**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS, is referred to the Committee on Judiciary III.

By Representatives Nye and Weiss:

**H.B. 1068**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE METHODS TO IMPROVE AND REWARD QUALITY OF CARE PROVIDED BY LONG-TERM CARE FACILITIES; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, is referred to the Committee on Aging and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fox and Owens:

**H.B. 1069**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING NATURAL OR ECONOMIC RESOURCES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Haire:

**H.B. 1070**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representatives Buchanan and Church:

**H.B. 1071**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE PROVISIONS OF THE CHECK CASHER ACT AUTHORIZING POSTDATED OR DELAYED DEPOSIT CHECKS AND TO AMEND THOSE PROVISIONS TO PROVIDE ADDITIONAL CONSUMER PROTECTIONS AND REQUIREMENTS ON LICENSEES, is referred to the Committee on Financial Institutions.

By Representative Cox:

**H.B. 1072**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE NORTH CAROLINA ENVIRONMENTAL RULES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 1073**, A BILL TO BE ENTITLED AN ACT TO CREATE AN AUTOMATION ENHANCEMENT AND PRESERVATION FUND AND EXPAND THE UNIFORM FEES FOR SERVICES CHARGED BY REGISTERS OF DEEDS AND TO ENHANCE THE STANDARDS FOR INSTRUMENTS TO BE REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS, is referred to the Committee on Finance.

By Representatives Culpepper and Barefoot:

**H.B. 1074**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROCEDURES FOR CERTIFYING ACKNOWLEDGMENTS OF INSTRUMENTS TO BE REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Adams, Blue, Blust, Capps, Culp, Daughtry, Davis, Decker, Harrington, Pope, Rayfield, Sexton, Thompson, and Weatherly:

**H.B. 1075**, A BILL TO BE ENTITLED AN ACT TO REQUIRE SINGLE-MEMBER DISTRICTS FOR ELECTION TO THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert, Adams, Blue, Blust, Capps, Daughtry, Davis, Decker, Harrington, Pope, Rayfield, Sexton, and Weatherly:

**H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH REDISTRICTING CRITERIA REQUIRING USE OF SINGLE-MEMBER DISTRICTS FOR ELECTION TO THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 178** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AN INSTRUMENT FOR ASSESSING THE QUALITY OF CARE PROVIDED BY ADULT CARE HOMES, is read the first time and referred to the Committee on Aging and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 405**, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRA-STRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE, is read the first time and referred to the Committee on Local Government I.

**S.B. 407**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THAT CITY TO USE QUICK TAKE PROCEDURE FOR ACQUISITION OF PROPERTY TO BE USED FOR STORMWATER AND PUBLIC TRANSPORTATION SYSTEMS, is read the first time and referred to the Committee on Local Government I.

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION, is read the first time and referred to the Committee on Local Government I.

**S.B. 466** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE

A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS, is read the first time and referred to the Committee on Insurance.

**S.B. 468** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS AND NONRENEWALS, is read the first time and referred to the Committee on Insurance.

**S.B. 484** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA BOARD OF PHARMACY FROM SIX TO NINE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 584**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL, is read the first time and referred to the Committee on Local Government I.

**S.B. 586**, A BILL TO BE ENTITLED AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO ARE NOT CLASSROOM TEACHERS, is read the first time and referred to the Committee on Education.

**S.B. 645**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILKES COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE MOUNTAIN VIEW MEDICAL CENTER, is read the first time and referred to the Committee on Local Government I.

**S.B. 651**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTING THE MEMBERS OF THE MOUNT AIRY PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT OF AND FOR THE CITY OF MOUNT AIRY UPON THE ADOPTION OF AN ORDINANCE BY THE CITY OF MOUNT AIRY EXTENDING ITS JURISDICTION ONE MILE BEYOND ITS CORPORATE LIMITS, is read the first time and referred to the Committee on Local Government II.

**S.B. 735**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE EDUCATION CABINET, is read the first time and referred to the Committee on Education.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Speaker withdraws **H.B. 401** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Appropriations.

Pursuant to Rule 36(b)(2), the Speaker withdraws **H.B. 599** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 45**, AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 6**, AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON.

**CHAPTERED BILL**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 447**, AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF NORWOOD AND STAGGERING THOSE TERMS. (S.L. 2001-15)

**BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 1034**, A JOINT RESOLUTION HONORING THE MEMORY OF MEMBERS OF PAST GENERAL ASSEMBLIES AND THE FIRST TRYON PALACE COMMISSION, is placed on today's calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**CALENDAR**

Action is taken on the following:

**H.B. 290** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 719** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 768** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE TRAFFIC STATUTES AND TO MAKE THE VIOLATION PROVISION OF THE ACT CONSISTENT WITH STRUCTURED SENTENCING, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 777**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE GASTONIA FIREMEN'S SUPPLEMENTARY PENSION FUND, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**S.B. 3** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES.

Representative Capps offers Amendment No. 1 which fails of adoption, by electronic vote (43-71).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Blue, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker,

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Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 107.

Voting in the negative: Representatives Bowie, Creech, Hensley, and Kiser - 4.

Excused absences: Representatives Fitch, Gray, and Hunter - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX CREDITS.

Representative Shubert offers an amendment.

Representative Shubert withdraws her amendment.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, Culpepper, Cunningham, Daughtry, Dedmon, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McLawhorn, McMahan, Michaux, Miller, Morris, Nesbitt, Nye, Oldham, Pope, Redwine, Rogers, Saunders, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, Womble, Wright, and Yongue - 70.

Voting in the negative: Representatives Arnold, Baker, Barbee, Bowie, Brubaker, Capps, Clary, J. Crawford, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Harrington, Hiatt, Hilton, Howard, Hurley, Justus, Kiser, McAllister, McComas, McCombs, Miner, Mitchell, Morgan, Owens, Preston, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Walend, C. Wilson, and G. Wilson - 45.

Excused absences: Representatives Fitch, Gray, and Hunter - 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.



**H.B. 571** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, Luebke, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rogers, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, Womble, Wright, and Yongue - 87.

Voting in the negative: Representatives Baker, Capps, Creech, Daughtry, Davis, Decker, Eddins, Esposito, Hiatt, Hill, Howard, Justus, Kiser, McAllister, McComas, Mitchell, Nesbitt, Rayfield, Redwine, Russell, Setzer, Shubert, Thompson, Walker, C. Wilson, and G. Wilson - 26.

Excused absences: Representatives Baddour, Fitch, Gray, and Hunter - 4.

**H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET.

On motion of Representative Goodwin and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 11.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

**H.B. 362** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ACKNOWLEDGING THE AUTHORITY OF STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (96-13), and is ordered sent to the Senate.

**H.B. 385** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 609**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE AMENDMENTS TO THE ADMINISTRATIVE RULE ENTITLED "STANDARDS OF CONSTRUCTION: WATER-SUPPLY WELLS" ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 616**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF ATLANTIC BEACH, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 984**, A BILL TO BE ENTITLED AN ACT TO REWRITE THE LAWS REGULATING LANDSCAPE CONTRACTORS, TO INCLUDE IRRIGATION CONTRACTORS UNDER THE LAWS REGULATING LANDSCAPE CONTRACTORS, TO ALLOW THE GENERAL ASSEMBLY TO APPOINT TWO OF THE NINE MEMBERS TO THE NORTH CAROLINA LANDSCAPE/IRRIGATION CONTRACTORS' LICENSING BOARD, AND TO AUTHORIZE THE BOARD TO INCREASE FEES, is withdrawn from the Committee on Finance and re-referred to the Committee on Aging and, if favorable, to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL

STATUTES OF THE STATE OF NORTH CAROLINA, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Environment and Natural Resources.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

Representative Culpepper moves, seconded by Representative Edwards, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 11 at 3:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing Committee is presented:

Representative Gibson, Chair, for the Committee on Alcoholic Beverage Control, submits the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE ISSUANCE OF ABC PERMITS TO RESIDENTIAL PRIVATE CLUBS AND SPORTS CLUBS.

Pursuant to Rule 31(a), and without objection, the bill is filed, assigned the number **H.B. 1143** and placed on the Calendar of April 11 pursuant to Rule 36(b).

The House stands adjourned at 6:45 p.m.

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## **FORTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, April 11, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

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The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Mysterious God, You have chosen not to rule over creation in the form of a dictator, enforcing Your will through pain and penalty. Rather, You have come to us as a suffering servant who vicariously shares our pain and redeems us from our sin. As we look to Your example, may we who are in positions of leadership, consider our authority not something to be exploited, but an opportunity to become true servants of all who are in need. May our first question not be, 'What can others do for me,' but, 'What can I do for others.' As we participate in the struggles for the full realization of freedom for all, give us perseverance and strength. Enable us to accept the high privilege of serving the cause of goodness and participating in the struggle for justice. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gray, Hunter, Pope, Preston, and Smith for today. Representatives Barbee, Barnhart, Boyd-McIntyre, Dockham, Ellis, Howard, Johnson, McMahan, Miner, and Sherrill are excused for a portion of the session.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

**THE APPOINTMENT OF MARK FAREL CRAWFORD**

**2001-2002**

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

**A PROCLAMATION**

WHEREAS, the Honorable Lanier M. Cansler, elected Representative from the Fifty-first District 2001-2002 General Assembly, has resigned; and

WHEREAS, the provisions of General Statute 163-11 require that the vacancy created by the resignation of the Honorable Lanier M. Cansler be filled by appointment of the person recommended by the Fifty-first District

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State House of Representatives Executive Committee of the Republican Party; and

WHEREAS, the Fifty-first District State House of Representatives Executive Committee of the Republican Party has notified me of its recommendation of Mark Farel Crawford, of Buncombe County, North Carolina, to fill the said vacancy,

I do by these presents appoint

**MARK FAREL CRAWFORD**

as a member of the

**HOUSE OF REPRESENTATIVES**

2001-2002 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this 11th day of April, 2001.

S/ Michael F. Easley  
Governor

ATTEST:

S/ Elaine F. Marshall  
Secretary of State

The Chair appoints Representatives Nesbitt and Sherrill to escort the Member to the podium for the administration of the oath.

The following oath of office is administered to Mark F. Crawford by the Speaker Pro Tempore, pursuant to G.S. 11-7.1.

**OATH FOR MEMBERS OF THE  
HOUSE OF REPRESENTATIVES  
2001 SESSION**

"I, MARK F. CRAWFORD, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government

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thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

The Chair states that Representative Crawford will occupy Seat 89 and appoints him to the following committees: Appropriations; Appropriations Subcommittee on Health and Human Services; Economic Growth and Community Development; Education; Education Subcommittee on Pre-School, Elementary, and Secondary Education; Judiciary III; Mental Health; Public Health; and State Government.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body of the seating of Representative Crawford as a Member of the 2001 House of Representatives.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 118**, AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NONRESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 1034**, A JOINT RESOLUTION HONORING THE MEMORY OF MEMBERS OF PAST GENERAL ASSEMBLIES AND THE FIRST TRYON PALACE COMMISSION. (RESOLUTION 2001-8)

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 6**, AN ACT TO MERGE THE TOWNS OF JONESVILLE AND ARLINGTON. (S.L. 2001-16)

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 169**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 190**, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT FOR ADDITIONAL SERVICES BY THE STATE HIGHWAY PATROL AT EVENTS CONDUCTED BY PRIVATE ORGANIZATIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 159**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BEAR HUNTING SEASON IN MARTIN COUNTY APPLIES TO THE ENTIRE COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 12. The original bill is placed on the Unfavorable Calendar.

**H.B. 893**, A BILL TO BE ENTITLED AN ACT TO INCLUDE MOORE COUNTY AMONG THOSE COUNTIES IN WHICH DOGS MAY NOT BE USED TO HUNT DEER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 12.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 804**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY AND PAMLICO COUNTY TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 667**, A BILL TO BE ENTITLED AN ACT INCREASING THE NUMBER OF COMMISSIONERS FOR THE TOWN OF NEW LONDON, EXTENDING THE TERMS OF OFFICE FOR THE TOWN'S COMMISSIONERS AND MAYOR, AND STAGGERING THOSE TERMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 12.

**H.B. 866**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 12.

**S.B. 486**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, with a favorable report.



Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 899**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW WITH REGARD TO RESISTING, OBSTRUCTING, OR DELAYING A PUBLIC OFFICER IN DISCHARGING OFFICIAL DUTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Gibson, Warwick, and McComas, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 316**, A BILL TO BE ENTITLED AN ACT TO EXPAND HURRICANE FLOYD RELIEF TO INCLUDE LICENSED FISH DEALERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, reported without prejudice and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**S.B. 202**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 722**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL

PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Arnold, Baddour, and Russell:

**H.B. 1077**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CAREER FIREFIGHTERS' AND RESCUE SQUAD WORKERS' BENEFITS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Arnold:

**H.B. 1078**, A BILL TO BE ENTITLED AN ACT TO ALLOW FIREFIGHTERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, is referred to the Committee on Pensions and Retirement.

By Representative Arnold:

**H.B. 1079**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPLICATION, AT THE OPTION OF THE RESPONSIBLE PARTY, OF RISK-BASED CORRECTIVE ACTION FOR THE CLEANUP AND RESTORATION OF CERTAIN HAZARDOUS DISCHARGES ON THE CONDITION THAT THE PROPERTY'S USE IS RESTRICTED AND THE RESTRICTION IS RECORDED BY THE REGISTER OF DEEDS, is referred to the Committee on Environment and Natural Resources.

By Representative Arnold:

**H.B. 1080**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF ROCKY MOUNT TO ASSIST WITH RECOVERY FROM THE HURRICANE FLOYD FLOODING, is referred to the Committee on Appropriations.

By Representatives Arnold and Rayfield:

**H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FEDERAL AND STATE FUNDING TO REPLACE OUTDATED VOTING EQUIPMENT, is referred to the Committee on Appropriations.

By Representatives Arnold, Fitch, Goodwin, and Russell:

**H.B. 1082**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY ONE HUNDRED PERCENT OF THE NONFEDERAL SHARE OF MEDICAID COSTS AND TO APPROPRIATE FUNDS THEREFOR, is referred to the Committee on Appropriations.

By Representatives Hackney and Barefoot:

**H.B. 1083**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON, is referred to the Committee on Judiciary I.

By Representative Hackney:

**H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ACTION FOR EQUITABLE DISTRIBUTION DOES NOT ABATE UPON THE DEATH OF A PARTY, is referred to the Committee on Judiciary I.

By Representative Hackney:

**H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO APPEALS TO THE SUPERIOR COURT FROM A DISTRICT COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION, is referred to the Committee on Judiciary I.

By Representatives Tucker, McLawhorn, Underhill, Warren, and Warwick:

**H.B. 1086**, A BILL TO BE ENTITLED AN ACT TO GIVE CERTIFIED ANIMAL WASTE MANAGEMENT SYSTEM OPERATORS WHO FAIL TO RENEW THEIR ANNUAL CERTIFICATES ON TIME THE OPTION OF PAYING LATE AND PENALTY FEES TO RENEW THEIR CERTIFICATES, is referred to the Committee on Finance.

By Representative Saunders:

**H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, is referred to the Committee on Education.

By Representative Saunders:

**H.B. 1088**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT, is referred to the Committee on Insurance.

By Representative Russell:

**H.B. 1089**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN INTRASTATE PROJECTS SERVING LARGE-SCALE ECONOMIC DEVELOPMENT PROJECTS FROM THE HIGHWAY EQUITY FUNDING FORMULA, is referred to the Committee on Transportation.

By Representative Tolson:

**H.B. 1090**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE PRESIDENT OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER SHALL SERVE AS AN EX OFFICIO MEMBER OF THE RURAL INTERNET ACCESS AUTHORITY, is referred to the Committee on Economic Growth and Community Development.

By Representatives Hill, Carpenter, Insko, Luebke, Sherrill, Shubert, Wainwright, and Weiss:

**H.B. 1091**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA NATUROPATHIC PHYSICIANS LICENSING ACT, is referred to the Committee on Health.

By Representatives Rayfield (By Request), Culp, Hiatt, and G. Wilson:

**H.B. 1092**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HEALTH BENEFIT PLANS FROM DISCRIMINATING WITH RESPECT TO PARTICIPATION, REIMBURSEMENT, OR INDEMNIFICATION AS TO ANY HEALTH CARE PROVIDER ACTING WITHIN THE SCOPE

OF THE PROVIDER'S LICENSE OR CERTIFICATION UNDER APPLICABLE STATE LAW, SOLELY ON THE BASIS OF THE LICENSE OR CERTIFICATION, is referred to the Committee on Insurance.

By Representatives Blue, Brubaker, and Shubert (Primary Sponsors); Adams, Carpenter, Davis, Fitch, and Morris:

**H.B. 1093**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS OF NORTH CAROLINA ARE PREPARING CHILDREN TO READ AT GRADE LEVEL AND TO ENJOY READING BEFORE THEY ENTER SECOND GRADE, is referred to the Committee on Education.

By Representative Blue:

**H.B. 1094**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN ERROR MADE IN 1999 IN THE TERM OF OFFICE OF A NEW SUPERIOR COURT JUDGESHIP IN SUPERIOR COURT DISTRICT 22, is referred to the Committee on Judiciary I.

By Representatives Baddour and Wainwright:

**H.B. 1095**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MANAGED CARE OMBUDSMAN PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Dedmon:

**H.B. 1096**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE WITHHOLDING OF RETAINAGE ON CONSTRUCTION PROJECTS WHEN CERTAIN BONDS ARE PROVIDED AND TO REQUIRE, IN CONNECTION WITH CERTAIN PRIVATE CONTRACTS FOR IMPROVEMENTS TO REAL PROPERTY, A LINE ITEM RELEASE OF RETAINAGE BASED ON THE PERCENTAGE OF WORK COMPLETED AND APPROVED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ellis:

**H.B. 1097**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DEFENDANT WHO COMMITS A SEX OFFENSE THAT RESULTS IN THE VICTIM BECOMING PREGNANT SHALL NOT EXPLOIT HIS

PARENTAL RIGHTS TO INTIMIDATE THE CRIME VICTIM OR NEGOTIATE A MORE FAVORABLE PLEA ARRANGEMENT, is referred to the Committee on Judiciary I.

By Representatives Church and Buchanan (Primary Sponsors):

**H.B. 1098**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING CERTAIN TYPES OF DEPOSIT ACCOUNTS IN NORTH CAROLINA TO MAKE THEM MORE UNDERSTANDABLE TO CONSUMERS AND TO MAKE THEM MORE FLEXIBLE IN MEETING CONSUMER PREFERENCES, is referred to the Committee on Financial Institutions.

By Representatives Church and Wainwright (Primary Sponsors):

**H.B. 1099**, A BILL TO BE ENTITLED AN ACT TO ALLOW LETTERS OF CREDIT TO SUBSTITUTE FOR SURETY BONDS TO MEET CERTAIN STATUTORY REQUIREMENTS, is referred to the Committee on Judiciary II.

By Representative Baddour:

**H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS, is referred to the Committee on Judiciary II.

By Representatives Baddour, Barefoot, Wainwright, and Weiss:

**H.B. 1101**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES OF PERSONAL PRIVACY PROTECTIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour and Wainwright:

**H.B. 1102**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT PERSONS CONTRACTING WITH THE PUBLIC SCHOOLS FROM DISCLOSING INFORMATION ABOUT STUDENTS FOR A BUSINESS PURPOSE, is referred to the Committee on Education.

By Representatives Alexander, Barefoot, and Wainwright:

**H.B. 1103**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUED SPEECH CENTER, is referred to the Committee on Appropriations.

By Representatives Alexander, Barefoot, Earle, Fox, Insko, Luebke, Wainwright, Weiss, and Yongue:

**H.B. 1104**, A BILL TO BE ENTITLED AN ACT CREATING THE LIVING INCOME STUDY COMMISSION AND APPROPRIATING FUNDS FOR THE WORK OF THE COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hurley:

**H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE INSURANCE LAWS, is referred to the Committee on Insurance.

By Representatives Church, Brubaker, Cole, Hill, and Morgan:

**H.B. 1106**, A BILL TO BE ENTITLED AN ACT TO ENACT THE MORTGAGE LENDING ACT TO GOVERN MORTGAGE BROKERS AND BANKERS, is referred to the Committee on Financial Institutions.

By Representatives Pope, Gibson, and Russell (Primary Sponsors); Blue, Hensley, and Shubert:

**H.B. 1107**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SICK LEAVE CREDITABLE TO RETIREMENT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative J. Crawford:

**H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AUTHORITIES ARE ELIGIBLE FOR GRANTS FROM THE PARKS AND RECREATION TRUST FUND, is referred to the Committee on Environment and Natural Resources.

By Representatives Nye and Wainwright:

**H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS, is referred to the Committee on Insurance.

By Representatives Earle, Barefoot, and Rogers (Primary Sponsors); Alexander, Easterling, Gibson, Goodwin, Gulley, McMahan, Saunders, and Wainwright:

**H.B. 1110**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX INCENTIVES FOR CAPITAL TOURISM PROJECTS IN TIER ONE, TWO, AND THREE COUNTIES, AND TO CREATE THE TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM, is referred to the Committee on Travel and Tourism and, if favorable, to the Committee on Finance.

By Representatives Culp, Kiser, Lucas, Mitchell, Tolson, Tucker, Warwick, Weatherly, and West:

**H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION TO INCLUDE DEVELOPING A PROGRAM REGARDING THE APPROVAL OF TECHNICAL SPECIALISTS AND THE DEVELOPMENT AND APPROVAL OF CERTAIN BEST MANAGEMENT PRACTICES, is referred to the Committee on Agriculture.

By Representatives Baddour, Jeffus and Sherrill (Primary Sponsors); Adams, Alexander, Barefoot, Bonner, Bowie, Boyd-McIntyre, Coates, Cox, Cunningham, Easterling, Edwards, Goodwin, Haire, Hall, Hurley, Insko, Luebke, McLawhorn, Redwine, Rogers, Russell, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Warren, Warwick, Weiss, Womble, Wright, and Yongue:

**H.B. 1112**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO SUPPORT THE NORTH CAROLINA ARTS COUNCIL, is referred to the Committee on Appropriations.

By Representative Baddour:

**H.B. 1113**, A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF CONSUMER FINANCIAL INFORMATION TO THIRD PERSONS AND TO PROVIDE FOR EDUCATION OF THE PUBLIC ON THOSE LIMITATIONS, is referred to the Committee on Financial Institutions.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 25** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES, is read the first time and referred to the Committee on Finance.



**S.B. 229** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH, is read the first time and referred to the Committee on Finance.

**S.B. 535** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE, is read the first time and referred to the Committee on Local Government I.

**S.B. 655**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY, is read the first time and referred to the Committee on Finance.

**S.B. 668**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, is read the first time and referred to the Committee on Local Government I.

**S.B. 677**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON, is read the first time and referred to the Committee on Finance.

**S.B. 714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "AMBULATORY SURGICAL FACILITY" BY REDUCING THE NUMBER OF REQUIRED OPERATING ROOMS FROM TWO TO ONE AND TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICE" BY INCLUDING CONSTRUCTION, DEVELOPMENT, ESTABLISHMENT, INCREASE IN NUMBER, OR RELOCATION OF AN OPERATING ROOM OR OPERATING ROOMS AND TO EXTEND THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN TO ALL OPERATING ROOMS AND TO REPEAL S.L. 2000-135, is read the first time and referred to the Committee on Health.

**WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 622**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, and without objection, **H.B. 712**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY, is withdrawn from the Calendar and placed on the Calendar of April 16.

**CALENDAR**

Action is taken on the following:

**H.B. 697**, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell,

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Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Creech, Davis, and Gillespie - 3.

Excused absences: Representatives Barnhart, Gray, Hunter, Johnson, Miner, Pope, Preston, and Smith - 8.

**H.B. 807**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gray, Hunter, Johnson, Miner, Pope, Preston, and Smith - 7.

**H.B. 838** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot,

Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gray, Hunter, Johnson, Miner, Pope, Preston, and Smith - 7.

**H.B. 879**, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Gray, Hunter, Johnson, Miner, Pope, Preston, and Smith - 7.

**H.B. 666**, A BILL TO BE ENTITLED AN ACT MAKING IT A CRIMINAL OFFENSE TO OBTAIN AMBULANCE SERVICES FRAUDULENTLY IN HALIFAX COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 702** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO DISPOSE OF WETLANDS MITIGATION BANKING CREDITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 727**, A BILL TO BE ENTITLED AN ACT RELATING TO THE USE OF FUNDS BY THE DARE COUNTY DEPARTMENT OF SOCIAL SERVICES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 885** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND ENVIRONMENTAL EDUCATION FACILITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 146** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PASS-THROUGH DISTRIBUTION OF PARTNERSHIP INCOME TAX CREDITS.

Representative Blust offers Amendment No. 1.

SPEAKER BLACK PRESIDING.

Amendment No. 1 is adopted by electronic vote (69-41).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Coates, Cole, Cox, Culpepper, Cunningham, Daughtry, Dedmon, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Holliman, Insko, Jarrell, Jeffus, Lucas, Luebke, McCombs, McLawhorn, McMahan, Michaux, Miller, Morris, Nesbitt, Oldham, Redwine, Rogers, Saunders, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Weatherly, Weiss, West, Womble, Wright, and Yongue - 63.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Brubaker, Capps, Clary, J. Crawford, M. Crawford, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Fitch, Gillespie, Grady, Gulley, Harrington, Hiatt, Hill, Hilton, Holmes, Hurley, Justus, Kiser, McAllister, McComas, Mitchell, Morgan, Nye, Owens, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Thompson, Walend, Walker, Warwick, C. Wilson, and G. Wilson - 48.

Excused absences: Representatives Gray, Howard, Hunter, Johnson, Miner, Pope, Preston, and Smith - 8.

**H.B. 571** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE COLLECTION OF TELECOMMUNICATIONS TAXES.

Representative Redwine offers Amendment No. 1 which fails of adoption, by electronic vote (37-75).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Rogers, Russell, Saunders, Sexton, Starnes, Sutton,

Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright, and Yongue - 90.

Voting in the negative: Representatives Baker, Capps, Cole, Creech, Daughtry, Davis, Decker, Eddins, Esposito, Hiatt, Kiser, McComas, Mitchell, Rayfield, Redwine, Setzer, Sherrill, Shubert, Thompson, Walker, and C. Wilson - 21.

Excused absences: Representatives Gray, Howard, Hunter, Miner, Pope, Preston, and Smith - 7.

**H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (103-1).

The bill, as amended, passes its second reading, by electronic vote (93-15), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 226**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF PHARMACY TO ACQUIRE REAL PROPERTY AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 350**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO SHARE WITH THE FEDERAL AND STATE FINANCIAL INSTITUTION REGULATORS INFORMATION ABOUT INSURANCE COMPANIES THAT ARE

AFFILIATES OF DEPOSITORY INSTITUTIONS OR OF FINANCIAL HOLDING COMPANIES; TO AMEND THE INSURANCE HOLDING COMPANY ACT AND AN INSURANCE COMPANY INVESTMENT STATUTE TO COMPLY WITH FEDERAL LAW, IN ACCORDANCE WITH THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 410** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL AND PERSONAL PROPERTY WITHOUT THE APPROVAL OF THE STATE BOARD OF COMMUNITY COLLEGES.

Representative Cox offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 429**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 600** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AT ANY PERMANENT DRIVERS LICENSE OFFICE WITH TWO OR MORE EXAMINERS, ONE SHALL TAKE APPOINTMENTS FOR DRIVERS LICENSE RENEWALS FOR COUNTY RESIDENTS, passes its second reading, by electronic vote (109-4), and there being no objection is read a third time.



The bill passes its third reading and is ordered sent to the Senate.

**H.B. 668** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH MEDIATED SETTLEMENT PROCEDURES IN DISTRICT COURT ACTIONS INVOLVING FAMILY FINANCIAL ISSUES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 958**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 71** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS.

On motion of Representative Baddour, the bill is withdrawn from the Calendar and re-referred to the Committee on Education.

**H.B. 1143**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE ISSUANCE OF ABC PERMITS TO RESIDENTIAL PRIVATE CLUBS AND SPORTS CLUBS.

Representative Daughtry requests that he be excused from voting on this bill because his company sells products to these clubs, under Rule 24.1A and this request is granted.

Representative Blue offers Amendment No. 1 which is adopted by electronic vote (63-45).

Representative Decker inquires of the Chair if the bill is properly before the Body. The Speaker rules that it is.

Representative Starnes offers Amendment No. 2 which fails of adoption by electronic vote (48-60).

Representative Kiser offers Amendment No. 3 which is adopted by electronic vote (55-50).

Representative Bowie requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (54-51).

Representative Gillespie offers Amendment No. 4 which fails of adoption by electronic vote (43-60).

Representative Gibson offers Amendment No. 5 which is adopted by electronic vote (64-42).

Representative Gillespie offers Amendment No. 6 which fails of adoption by electronic vote (42-61).

Representative Howard offers Amendment No. 7 which is adopted by electronic vote (74-30).

The bill, as amended, passes its second reading, by electronic vote (70-31).

Representative Starnes requests and is granted permission to be recorded as voting "no". The adjusted vote total is (70-32).

Representative Decker objects to the third reading. The bill remains on the Calendar.

**H.J.R. 771**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDMUND HARDING AND COMMEMORATING THE TERCENTENARY OF THE FOUNDING OF BATH, FIRST TOWN IN THE COLONY OF NORTH CAROLINA, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on

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Rules, Calendar, and Operations of the House and re-referred to the Committee on Education:

**H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS;

**H.B. 26**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS; and

**H.B. 29**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 188**, A BILL TO BE ENTITLED AN ACT TO REFORM THE ELECTION LAWS FOR THE PURPOSE OF MAKING VOTING SIMPLER AND FAIRER, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Election Law and Campaign Finance Reform.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 308**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR GEOGRAPHIC REPRESENTATION IN APPOINTING MEMBERS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 321**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 35TH HOUSE DISTRICT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 808**, A BILL TO BE ENTITLED AN ACT TO REQUIRE PARITY IN HEALTH INSURANCE COVERAGE FOR MENTAL ILLNESS AND CHEMICAL DEPENDENCY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Insurance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 926**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PURPOSES FOR WHICH THE NEW HANOVER COUNTY

ROOM OCCUPANCY TAX MAY BE USED AND TO MAKE CONFORMING CHANGES, is withdrawn from the Committee on Local Government II and re-referred to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 944**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SAVINGS RESERVE ACCOUNT MUST EQUAL EIGHT PERCENT OF THE AMOUNT APPROPRIATED THE PRIOR FISCAL YEAR FOR THE GENERAL FUND OPERATING BUDGET AND TO LIMIT THE GENERAL FUND OPERATING SIZE TO THE PRIOR FISCAL YEAR'S ACTUAL GENERAL FUND REVENUE COLLECTIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 945**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TRANSPORTATION FUNDING EQUITY STUDY COMMISSION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Transportation and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 998**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Ways and Means.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1068**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE METHODS TO IMPROVE AND REWARD QUALITY OF CARE PROVIDED BY LONG-TERM CARE FACILITIES; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, is withdrawn from the Committee on Aging and re-referred to the Committee on Health.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from permanent subcommittee is presented:

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By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 938**, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill. The committee substitute changes the bill from local to public.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 12. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Culpepper, seconded by Representative Adams, the House adjourns at 7:56 p.m. to reconvene April 12 at 2:00 p.m.

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## FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, April 12, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of Grace and Mercy, Your love for us never ends. Your presence never leaves us. No matter how far we roam from You, You are with us. If we try to hide from You, You are there. Your all-seeing eyes and all knowing mind perceives our thoughts and our imaginings. At times we sense Your constant companionship as a burden. Your consistent company causes us to think twice about our motives and our actions. And yet, You do not leave us alone. You continue to call us to what is true, what is honorable, what is pure, and what is holy. Though we would settle for far less, You seek the very best from us at all times. Grant that our awareness of Your oversight will kindle in us a sensitivity to things eternal and an insistence upon that which would be pleasing to You. Amen."

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Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dedmon, Hunter, Pope, Saunders, Sherrill, Smith, and Tucker for today.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 193**, AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR CERTAIN QUALIFIED RETIREMENT FACILITIES THAT PROVIDE CHARITY CARE AND/OR COMMUNITY BENEFITS. (S.L. 2001-17)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 462**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AND CHARTER SCHOOL STUDENTS WHO PARTICIPATE IN UNPAID, SCHOOL-APPROVED, WORK-BASED LEARNING EXPERIENCES LOCATED OFF SCHOOL GROUNDS ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 132** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING, with a favorable report.

On motion of the Chair, pursuant to Rule 36(b)(2), the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Jarrell, Chair, for the Committee on State Government:

**S.B. 434**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, with a favorable report.

On motion of the Chair, pursuant to Rule 36(b)(2), the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 16.

**H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS PROTECT THE RIGHTS OF STUDENTS AND THEIR FAMILIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of the Chair, pursuant to Rule 36(b)(2), the House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 758**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES CALLOWAY "C.C." ROSS, CIVIC LEADER, BUSINESS OWNER, POLITICIAN, AND EDUCATOR, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 57**, A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 16. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 635**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 110**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.



**H.B. 220**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR PERSONS QUALIFIED IN THE UNITED STATES NAVY SUBMARINE SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Allen, Buchanan, Luebke and Wainwright, Chairs, for the Committee on Finance:

**H.B. 311** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 16.

**H.B. 348**, A BILL TO BE ENTITLED AN ACT TO REPEAL MISCELLANEOUS FEES PAID BY INSURANCE COMPANIES TO THE DEPARTMENT OF INSURANCE; AND TO INCREASE THE INSURANCE COMPANY LICENSE APPLICATION AND RENEWAL FEES TO MAKE THE REPEALS REVENUE NEUTRAL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 880**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 16.

**H.B. 882**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DUCK, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 16.

### CALENDAR

Action is taken on the following:

**H.B. 697**, A BILL TO BE ENTITLED AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Shubert, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Dedmon, Hunter, Pope, Saunders, Sherrill, Smith, and Tucker - 7.

**H.B. 807**, A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter,

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Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Shubert, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Dedmon, Hunter, Pope, Saunders, Sherrill, Smith, and Tucker - 7.

**H.B. 838** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Shubert, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Dedmon, Hunter, Pope, Saunders, Sherrill, Smith, and Tucker - 7.

**H.B. 879**, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69

FIRE TAX DISTRICTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Shubert, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Dedmon, Hunter, Pope, Saunders, Sherrill, Smith, and Tucker - 7.

**H.B. 159** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE BEAR HUNTING SEASON IN MARTIN COUNTY APPLIES TO THE ENTIRE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 667**, A BILL TO BE ENTITLED AN ACT INCREASING THE NUMBER OF COMMISSIONERS FOR THE TOWN OF NEW LONDON, EXTENDING THE TERMS OF OFFICE FOR THE TOWN'S COMMISSIONERS AND MAYOR, AND STAGGERING THOSE TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 866**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE

OF PROCESS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 893**, A BILL TO BE ENTITLED AN ACT TO INCLUDE MOORE COUNTY AMONG THOSE COUNTIES IN WHICH DOGS MAY NOT BE USED TO HUNT DEER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1143**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE ISSUANCE OF ABC PERMITS TO RESIDENTIAL PRIVATE CLUBS AND SPORTS CLUBS.

Representative Starnes offers Amendment No. 8 which is adopted by electronic vote (108-0).

Representative Hall offers Amendment No. 9 which is adopted by electronic vote (102-5).

Representative Carpenter offers Amendment No. 10 which is adopted by electronic vote (94-14).

The bill, as amended, passes its third reading, by electronic vote (77-29), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 34** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN BUTTERFLY AND PUNCH-CARD BALLOTS, passes its second reading, by electronic vote (105-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 280** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN EARLIER CONVENING OF THE GENERAL ASSEMBLY FOR ORGANIZATION AND THEN AN EXTENDED RECESS,

passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 421** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **ELECTRONIC VOTING TIME CHANGED**

Pursuant to Rule 20(c), and without objection, the Speaker directs the time for voting changed from 15 seconds to 10 seconds.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 620** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 709** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADOPTING THE CAROLINA LILY AS THE OFFICIAL WILDFLOWER OF NORTH CAROLINA.

Representative Starnes moves that the bill be withdrawn from the Calendar and re-referred to the Committee on State Government.

The motion fails by electronic vote (19-89).

Representative Blust states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (19-90).

The bill passes its second reading, by electronic vote (98-10), and there being no objection is read a third time.

Representative Allred states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (99-10).

The bill passes its third reading and is ordered sent to the Senate.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative McMahan and without objection, **H.B. 723** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST, is withdrawn from the Calendar and placed on the Calendar of April 19.

#### **CALENDAR (continued)**

**H.B. 938** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

Pursuant to Rule 36(b)(2), the following bills are withdrawn from the Calendar pursuant to Rule 36(b) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998, TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND, AND TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE;

**S.B. 399**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE;

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING; and

**S.B. 486**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 522**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS, is withdrawn from the Committee on Insurance and re-referred to the Committee on Health.

Representative Culpepper moves, seconded by Representative Jarrell that the House adjourn, subject to first reading and reference to committee of bills and the receipt of Messages, to reconvene Monday, April 16, 2001, at 7:00 p.m.

The motion carries.



**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following are introduced, read the first time and referred to committee:

By Representative Cole:

**H.B. 1114**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE COMMISSION FOR HEALTH SERVICES TO RECONSIDER THE MINIMUM DESIGN DAILY FLOW OF SEWAGE REQUIRED IN CALCULATING THE DESIGN VOLUME OF SANITARY SEWAGE SYSTEMS TO SERVE DAY CARE CENTERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

**H.B. 1115**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO LONG-TERM CARE IN ORDER TO IMPROVE THE SAFETY AND WELL-BEING OF LONG-TERM CARE RESIDENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hackney, Adams, Alexander, Bell, Bonner, Boyd-McIntyre, Cunningham, Earle, Easterling, Fitch, Hall, Hensley, Insko, Jeffus, Lucas, Luebke, McAllister, Michaux, Miller, Morris, Nesbitt, Oldham, Saunders, Wainwright, Weiss, Womble, and Wright:

**H.B. 1116**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON CARRYING OUT THE DEATH PENALTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Hackney, Sutton, and C. Wilson:

**H.B. 1117**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY HAS DISCRETION AS TO WHETHER TO SEEK THE DEATH PENALTY FOR A CAPITAL CASE, is referred to the Committee on Judiciary II.

By Representatives Church, Harrington, and Morgan:

**H.B. 1118**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSE OF FRAUD AGAINST FINANCIAL INSTITUTIONS, is referred to the Committee on Judiciary II.

By Representatives Nye and Morris:

**H.B. 1119**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT AND AUTHORIZING THE STATE BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS TO ACQUIRE REAL PROPERTY, TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, AND TO INCREASE THE CIVIL PENALTY FROM TWO THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS FOR VIOLATIONS OF THE ACT, is referred to the Committee on Ways and Means.

By Representative Nye:

**H.B. 1120**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INEXPERIENCED DRIVERS TO MAINTAIN FINANCIAL RESPONSIBILITY CONTINUOUSLY AND INSURANCE COMPANIES TO TRANSMIT INFORMATION REGARDING FINANCIAL RESPONSIBILITY OF DRIVERS TO THE DIVISION OF MOTOR VEHICLES IN AN ELECTRONIC FORM, is referred to the Committee on Insurance.

By Representatives Redwine and Gibson (Primary Sponsors); Alexander, Hackney, Hensley, Hurley, Luebke, McLawhorn, Russell, Underhill, Wainwright, and C. Wilson:

**H.B. 1121**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COASTAL RECREATIONAL FISHING LICENSE, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representative Allred:

**H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE NORTH CAROLINA RATE BUREAU TO REVISE AND REFILE A CLASSIFICATION PLAN FOR LOSS MODIFICATIONS IN WORKERS' COMPENSATION INSURANCE; AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WORKERS' COMPENSATION INSURANCE CLASSIFICATIONS, INCLUDING THE DEVELOPMENT AND IMPLEMENTATION OF LOSS MODIFICATIONS, is referred to the Committee on Insurance.

By Representative Allred:

**H.B. 1123**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE NORTH CAROLINA RATE BUREAU TO THE

INSURANCE INDUSTRY OFFICE IN ORDER TO END THE PUBLIC MISCONCEPTION THAT THE BUREAU IS AN AGENCY OF THE STATE, is referred to the Committee on Insurance.

By Representatives Harrington, Arnold, Baker, Barbee, Barnhart, Blust, Brubaker, Capps, Carpenter, Clary, Creech, Culp, Daughtry, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Grady, Gulley, Hiatt, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McComas, McCombs, McMahan, Miner, Mitchell, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Sherrill, Shubert, Starnes, Teague, Thompson, Walend, Walker, Weatherly, West, C. Wilson, and G. Wilson:

**H.R. 1124**, A HOUSE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION OF THE STATE OF NORTH CAROLINA SUPPORT PRESIDENT BUSH'S TAX RELIEF PROPOSAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Daughtry and Harrington:

**H.B. 1125**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR ENROLLING CHILDREN IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Thompson:

**H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESIDENCY QUALIFICATIONS OF AN INCUMBENT MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blust, Brubaker, Carpenter, Culp, Daughtry, Davis, Eddins, Esposito, Hilton, Holmes, Howard, Johnson, Kiser, McMahan, Mitchell, Morris, Pope, Rayfield, Russell, Setzer, Shubert, Starnes, Teague, Thompson, Walker, Weatherly, West, and C. Wilson:

**H.B. 1127**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DNA SAMPLE SHALL BE TAKEN FROM ANY PERSON WHO IS CONVICTED OF A FELONY OR WHO IS FOUND NOT GUILTY OF A FELONY BY REASON OF INSANITY AND TO MAKE CONFORMING STATUTORY CHANGES, is referred to the Committee on Judiciary I.

By Representatives Blust, Carpenter, Clary, Creech, Culp, Davis, Decker, Gulley, Harrington, Hilton, Johnson, Justus, McCombs, Miner, Morris, Starnes, Teague, Walend, Walker, Weatherly, and West:

**H.B. 1128**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Decker, J. Crawford, Culp, Culpepper, and Mitchell:

**H.B. 1129**, A BILL TO BE ENTITLED AN ACT CLARIFYING CERTAIN PROVISIONS UNDER THE LAWS RELATING TO GRANDPARENT VISITATION AND REQUIRING A COURT TO REVIEW SEVERAL FACTORS PRIOR TO AWARDED GRANDPARENT VISITATION, is referred to the Committee on Judiciary II.

By Representatives Decker and Sexton:

**H.B. 1130**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NEWLY INCORPORATED MUNICIPALITY MAY WAIVE ITS POWELL BILL FUNDS AND HAVE SECONDARY ROADS THAT WERE ON THE PAVEMENT PRIORITY LIST AND SCHEDULED TO BE PAVED PRIOR TO INCORPORATION PAVED BY THE DEPARTMENT OF TRANSPORTATION ACCORDING TO THE PRIORITY LIST, is referred to the Committee on Transportation.

By Representatives Davis, Capps, Carpenter, Decker, Gulley, Harrington, Hilton, Johnson, Justus, Mitchell, Morris, Rayfield, Setzer, Sexton, Shubert, Starnes, Walend, and C. Wilson:

**H.B. 1131**, A BILL TO BE ENTITLED AN ACT TO CREATE THE FEDERAL FUNDS OVERSIGHT COMMITTEE TO IMPLEMENT A 1998 BUDGET PROVISION CONCERNING OVERSIGHT OF FEDERAL GRANTS, is referred to the Committee on Appropriations.

By Representatives Davis, Capps, Carpenter, Decker, Eddins, Harrington, Hilton, Johnson, Morris, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Walend, and C. Wilson:

**H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM FEES PAID FOR JURY SERVICE, is referred to the Committee on Appropriations.

By Representatives Davis, Capps, Carpenter, Gulley, Hilton, Kiser, Morris, Rayfield, Setzer, Sexton, and Walend:

**H.B. 1133**, A BILL TO BE ENTITLED AN ACT TO DELAY CERTAIN GOVERNMENTAL INITIATIVES DUE TO THE STATE BUDGET CRISIS, is referred to the Committee on Appropriations.

By Representatives Davis, Capps, Carpenter, Culp, Decker, Eddins, Gulley, Harrington, Hilton, Justus, Kiser, Morris, Rayfield, Setzer, Sexton, Starnes, Walend, and C. Wilson:

**H.B. 1134**, A BILL TO BE ENTITLED AN ACT TO PUNISH STUDENTS WHO CONSPIRE OR THREATEN TO CAUSE VIOLENCE AT SCHOOL, TO CREATE A LEGAL DUTY TO REPORT THREATS OF SCHOOL VIOLENCE, TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN CRIMINAL OFFENSES COMMITTED WITH THE INTENT OF INTIMIDATING OR RETALIATING AGAINST A PERSON WHO DOES REPORT A THREAT OF SCHOOL VIOLENCE, AND TO GRANT IMMUNITY FROM CRIMINAL PROSECUTION TO ANYONE WHO REPORTS A THREAT OF SCHOOL VIOLENCE, is referred to the Committee on Education.

By Representatives Walend, Carpenter, M. Crawford, Gillespie, Haire, Harrington, Justus, Mitchell, Nesbitt, Setzer, Sherrill, Shubert, Starnes, Thompson, Walker, West, and G. Wilson:

**H.B. 1135**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A BLUE RIDGE PARKWAY FOUNDATION SPECIAL REGISTRATION PLATE, is referred to the Committee on Finance.

By Representatives Arnold and Russell:

**H.B. 1136**, A BILL TO BE ENTITLED AN ACT REQUIRING THE COLLECTION OF INTEREST ON PAST DUE CHILD SUPPORT PAYMENTS WHEN COLLECTION OF THE INTEREST HAS BEEN ORDERED BY THE COURT, is referred to the Committee on Children, Youth and Families.

By Representatives Arnold and Fitch:

**H.B. 1137**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE OPERATION AND STRUCTURE OF THE SCHOOLS FOR THE DEAF, TO REQUIRE FURTHER STUDY INTO THE ORGANIZATION OF THE SCHOOLS FOR THE DEAF, AND TO APPROPRIATE

FUNDS FOR THESE PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Arnold:

**H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL FIX THE RATE OF TUITION FOR THE STATE'S UNIVERSITY SYSTEM, is referred to the Committee on Education.

By Representative Hackney:

**H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPELLATE PROCEDURE FOR CRIMINAL CONTEMPT, is referred to the Committee on Judiciary I.

By Representatives Sexton, Baddour, Davis, Mitchell, Morris, and Owens:

**H.B. 1140**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE TERMS AND CONDITIONS OF NORTH CAROLINA NATIONAL GUARD PENSIONS TO PROVIDE FOR CONTINUED PAYMENTS TO A DECEASED INDIVIDUAL'S SPOUSE, is referred to the Committee on Pensions and Retirement.

By Representative Sexton:

**H.B. 1141**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE OPENING OF CARTWAYS, is referred to the Committee on Judiciary I.

By Representatives Sexton, Baddour, Cox, Davis, Mitchell, and Morris:

**H.B. 1142**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Yongue, Bonner, and Rogers (Primary Sponsors); and Barefoot:

**H.B. 1144**, A BILL TO BE ENTITLED AN ACT TO APPOINT SCHOOL ADMINISTRATORS TO SERVE AS ADVISORS TO THE STATE BOARD OF EDUCATION, is referred to the Committee on Education.

By Representatives Yongue and Bonner (Primary Sponsors); Alexander, Cox, Morris, and Wainwright:

**H.B. 1145**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION OF TEACHERS WHO TEACH EXCEPTIONAL CHILDREN, is referred to the Committee on Appropriations.

By Representative Hurley:

**H.B. 1146**, A BILL TO BE ENTITLED AN ACT TO IMPOSE PRESUMPTIVE FINES FOR SPEEDING OFFENSES, is referred to the Committee on Judiciary II.

By Representatives Insko, M. Crawford, and Weiss:

**H.B. 1147**, A BILL TO BE ENTITLED AN ACT TO PERMIT A HOSPITAL TO TEMPORARILY INCREASE ITS BED CAPACITY AFTER NOTIFYING THE DIVISION OF FACILITY SERVICES, is referred to the Committee on Health.

By Representatives Insko, Luebke, and Weiss:

**H.B. 1148**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF STATE-COUNTY SPECIAL ASSISTANCE FOR ALTERNATIVE LIVING ARRANGEMENTS, is referred to the Committee on Appropriations.

By Representative Insko:

**H.B. 1149**, A BILL TO BE ENTITLED AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, is referred to the Committee on Education.

By Representatives Michaux, Adams, Fitch, Luebke, Wainwright, and Weiss:

**H.B. 1150**, A BILL TO BE ENTITLED AN ACT TO ENSURE FAIRNESS IN THE NORTH CAROLINA STATEWIDE TESTING PROGRAM, is referred to the Committee on Education.

By Representatives Michaux, Adams, and Fitch:

**H.B. 1151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON SHALL NOT BE INDICTED AS BOTH A HABITUAL

FELON AND A VIOLENT HABITUAL FELON FOR THE SAME OFFENSE, is referred to the Committee on Judiciary III.

By Representatives Michaux and Fitch:

**H.B. 1152**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE HABITUAL FELON LAW, is referred to the Committee on Judiciary III.

By Representative McMahan:

**H.B. 1153**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF GARNISHMENT FOR PURPOSES OF COLLECTING COMMERCIAL DEBT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holliman and McLawhorn:

**H.B. 1154**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' RIGHTS ACT, is referred to the Committee on Judiciary I.

By Representative Dedmon:

**H.B. 1155**, A BILL TO BE ENTITLED AN ACT TO REGULATE TRAILERS AND CONTAINERS USED IN INTERMODAL TRANSPORTATION SYSTEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hackney:

**H.B. 1156**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, is referred to the Committee on Environment and Natural Resources.

By Representative Hackney:

**H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCRAP TIRE MANAGEMENT LAWS OF THE STATE, is referred to the Committee on Finance.

By Representatives Hackney, Luebke, and Weiss:

**H.B. 1158**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CORRUGATED CARDBOARD, CLEAN WOOD WASTE,



AND WOODEN PALLETS IN LANDFILLS, is referred to the Committee on Public Health.

By Representatives Alexander and Jarrell (Primary Sponsors); and Jeffus:

**H.B. 1159**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander and C. Wilson (Primary Sponsors); and Harrington:

**H.B. 1160**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS, is referred to the Committee on Insurance.

By Representatives Bonner, Rogers, and Yongue (Primary Sponsors); Barefoot, Bell, Earle, Hall, Insko, Lucas, McLawhorn, Oldham, Sutton, and Tolson:

**H.B. 1161**, A BILL TO BE ENTITLED AN ACT TO APPOINT SCHOOL ADMINISTRATORS TO SERVE AS ADVISORS TO THE STATE BOARD OF EDUCATION, is referred to the Committee on Education.

By Representatives Russell and Goodwin:

**H.B. 1162**, A BILL TO BE ENTITLED AN ACT ESTABLISHING LIBERTY DAY IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Russell, Baddour, Hurley, and Grady (Primary Sponsors); Barefoot, Bell, Davis, Goodwin, McAllister, Morris, Nye, Preston, Smith, Tucker, Wainwright, Warner, Warwick, and Yongue:

**H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baddour:

**H.B. 1164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR POSTADOPTION PRIVILEGES IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary II.

By Representatives Baddour, Alexander, and Wainwright:

**H.B. 1165**, A BILL TO BE ENTITLED AN ACT RELATING TO PRESCRIPTION DRUGS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Baddour, Alexander, and Wainwright:

**H.B. 1166**, A BILL TO BE ENTITLED AN ACT PERTAINING TO COVERAGE BY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN FOR FUTURE MEDICAL EXPENSES UNDER A WORKERS' COMPENSATION SETTLEMENT, is referred to the Committee on Judiciary II.

By Representatives Justus, Clary, Gillespie, and Warwick (Primary Sponsors):

**H.B. 1167**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ADMINISTRATIVE CODE REGARDING THE ENVIRONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Clary, and Gillespie (Primary Sponsors):

**H.B. 1168**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NORTH CAROLINA RULES CONCERNING THE ENVIRONMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Saunders:

**H.B. 1169**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS AND THE SALE OF PROPERTY FOR CITIES AND TOWNS, is referred to the Committee on Local Government I.

By Representative C. Wilson:

**H.B. 1170**, A BILL TO BE ENTITLED AN ACT TO DEVELOP A CHIROPRACTIC TREATMENT PROTOCOL FOR THE TREATMENT

OF INJURIES RESULTING FROM AUTOMOBILE ACCIDENTS, is referred to the Committee on Insurance.

By Representative Goodwin:

**H.B. 1171**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF PUBLIC FINANCING OF CAMPAIGNS FOR APPELLATE JUDGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Miller:

**H.B. 1172**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET FROM THE PROVISIONS OF THE LAW GOVERNING DELAYED DEPOSIT CHECKS AND TO PROVIDE ADDITIONAL CONSUMER PROTECTIONS, is referred to the Committee on Financial Institutions.

By Representatives Miller, Luebke, and Weiss:

**H.B. 1173**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT FOOD OR RETAIL BUSINESSES THAT HOLD ABC PERMITS AND ARE LOCATED IN A STATE ECONOMIC ZONE SHALL NOT HAVE ALCOHOLIC BEVERAGE SALES IN EXCESS OF FIFTY PERCENT OF THE BUSINESS' TOTAL ANNUAL SALES, is referred to the Committee on Alcoholic Beverage Control.

By Representative Miller:

**H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF DRUGS IN PUBLIC PARKS AND PLAYGROUNDS, is referred to the Committee on Judiciary II.

By Representatives Howard and Thompson:

**H.B. 1175**, A BILL TO BE ENTITLED AN ACT TO EXEMPT MOTOR VEHICLES MORE THAN TWENTY-FIVE YEARS OLD FROM THE REQUIREMENT OF AN ANNUAL EMISSIONS INSPECTION, is referred to the Committee on Transportation.

By Representative Miner:

**H.B. 1176**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR

AD VALOREM TAXES AND TO ALLOW COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING, is referred to the Committee on Finance.

By Representatives Blust, Capps, Howard, Johnson, Russell, Teague, Weatherly, and West:

**H.B. 1177**, A BILL TO BE ENTITLED AN ACT TO REQUEST THE NORTH CAROLINA SUPREME COURT TO ADOPT RULES ESTABLISHING MINIMUM STANDARDS FOR DEFENSE ATTORNEYS, PROSECUTORS, AND JUDGES HANDLING CAPITAL CASES, is referred to the Committee on Judiciary I.

By Representative Blust:

**H.B. 1178**, A BILL TO BE ENTITLED AN ACT TO LET THE VOTERS RESOLVE DISPUTES BETWEEN THE BOARD OF EDUCATION AND THE BOARD OF COUNTY COMMISSIONERS REGARDING SCHOOL FUNDING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cole and Brubaker (Primary Sponsors):

**H.B. 1179**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS CONCERNING THE LICENSURE OF MORTGAGE LENDERS AND BROKERS, is referred to the Committee on Financial Institutions.

By Representative Hill:

**H.B. 1180**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT OF THE AMERICAN LEGION POST 139 FOR USE AS A COMMUNITY CENTER, is referred to the Committee on Appropriations.

By Representatives Cole and Sexton (Primary Sponsors); and Morris:

**H.B. 1181**, A BILL TO BE ENTITLED AN ACT TO ALLOW CALL CENTERS LOCATED IN ENTERPRISE TIER THREE AREAS TO BE ELIGIBLE FOR CREDITS UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Finance.

By Representatives Bell, Baddour, Barefoot, Bonner, Earle, Gibson, Hall, Hensley, Insko, Jeffus, Lucas, Luebke, Michaux, Miller, Oldham, Russell, Sherrill, Sutton, Tolson, Warner, Weiss, Womble, and Yongue:

**H.B. 1182**, A BILL TO BE ENTITLED AN ACT PROVIDING NONLICENSED EMPLOYEES OF LOCAL SCHOOL BOARDS WITH COVERAGE UNDER THE STATE PERSONNEL ACT THAT IS SIMILAR TO THE COVERAGE OF OTHER LOCAL EMPLOYEES, is referred to the Committee on State Personnel.

By Representatives Blue, Fitch, Goodwin, Hackney, Hensley, and Holmes:

**H.B. 1183**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN ERROR MADE IN 1999 IN THE TERM OF OFFICE OF A NEW SUPERIOR COURT JUDGESHIP IN SUPERIOR COURT DISTRICT 22, is referred to the Committee on Judiciary I.

By Representatives Blue and Wainwright:

**H.B. 1184**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SECOND PRIMARY, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue, Adams, Fitch, and Wainwright:

**H.B. 1185**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE PERIOD FOR NO-EXCUSE ONE-STOP ABSENTEE VOTING BY ALLOWING MORE TIME AFTER THE BOOKS CLOSE TO BEGIN THE PROCESS, BUT TO EXTEND IT TO INCLUDE THE SATURDAY BEFORE THE ELECTION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue, Adams, Goodwin, and Hensley:

**H.B. 1186**, A BILL TO BE ENTITLED AN ACT TO ALLOW CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REGISTER TO VOTE BY FAX, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue and Goodwin:

**H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE CANDIDATE OR PERSON PAYING FOR A

PERSUASIVE POLL, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue and Hensley (Primary Sponsors):

**H.B. 1188**, A BILL TO BE ENTITLED AN ACT TO ALLOW PROTECTION OF VOTER RECORDS IN CASE OF DOMESTIC ABUSE PROTECTIVE ORDERS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue and Hensley (Primary Sponsors):

**H.B. 1189**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue, Adams, Luebke, Wainwright, and Weiss:

**H.B. 1190**, A BILL TO BE ENTITLED AN ACT TO ALLOW EMPLOYEES TIME OFF TO VOTE, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Blue:

**H.B. 1191**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ELECTRONIC VOTING SYSTEMS TO REPORT OVERVOTES AND UNDERVOTES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue and Wainwright:

**H.B. 1192**, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE POLL CLOSING TIMES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue, Adams, and Goodwin:

**H.B. 1193**, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTERS TO REPORT CHANGES OF ADDRESS BY FAX, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Blue and Adams:

**H.B. 1194**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT COUNTY BOARDS OF ELECTIONS CLOSE AT 5:00 PM ON THE LAST DAY FOR VOTER REGISTRATION, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Blue:

**H.B. 1195**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives McLawhorn and Goodwin:

**H.B. 1196**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR MULTIPLE OFFENSE SHOPLIFTERS WHO HAVE CERTAIN OTHER PRIOR CONVICTIONS, is referred to the Committee on Judiciary III.

By Representatives Shubert, Blue, Brubaker, Davis, and Harrington:

**H.B. 1197**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SCHOOLS TO GIVE WRITTEN NOTICE TO THE PARENT OF A CHILD WHOSE TEACHER IS NOT TEACHING WITHIN HIS OR HER AREA OF CERTIFICATION AND TO FACILITATE THE TEACHER CERTIFICATION PROCESS, is referred to the Committee on Education.

By Representatives Shubert, Brubaker, and Harrington:

**H.B. 1198**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE REQUIRED TO PREPARE, is referred to the Committee on Education.

By Representatives Shubert, Brubaker, Capps, Davis, and Harrington:

**H.B. 1199**, A BILL TO BE ENTITLED AN ACT TO MAKE TEXT-BOOK SELECTION A LOCAL DECISION, is referred to the Committee on Education.

By Representatives Shubert, Blue, Brubaker, Capps, Davis, and Harrington:

**H.B. 1200**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PARENTS RECEIVE A MARKED COPY OF TESTS TAKEN BY THEIR CHILDREN UNDER THE STATEWIDE TESTING PROGRAM, is referred to the Committee on Education.

By Representatives Shubert, Capps, and Davis:

**H.B. 1201**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ALL COMPONENTS OF THE STATEWIDE SCHOOL TESTING PROGRAM ALIGN WITH NATIONAL STUDENT ACADEMIC PERFORMANCE STANDARDS, is referred to the Committee on Education.

By Representatives Shubert, Capps, Davis, and Harrington:

**H.B. 1202**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE PRIVACY OF STUDENTS AND THEIR FAMILIES, is referred to the Committee on Education.

By Representatives Shubert, Capps, Davis, and Harrington:

**H.B. 1203**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE PROVISION OF CERTAIN HEALTH SERVICES BY LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE UNITS TO OBTAIN PERMISSION FROM PARENTS FOR CERTAIN SERVICES, is referred to the Committee on Education.

By Representatives Shubert, Capps, Davis, and Harrington:

**H.B. 1204**, A BILL TO BE ENTITLED AN ACT TO TIE THE ABCS OF PUBLIC EDUCATION PROGRAM'S BONUSES TO THE ACADEMIC ACHIEVEMENT OF STUDENTS IN ALL DEMOGRAPHIC GROUPS, is referred to the Committee on Education.

By Representatives Shubert, Capps, Davis, Harrington, and Morris:

**H.B. 1205**, A BILL TO BE ENTITLED AN ACT TO GIVE LOCAL BOARDS OF EDUCATION FLEXIBILITY WITH REGARD TO USING STATE-FUNDED TEACHER POSITIONS, is referred to the Committee on Education.



By Representatives Shubert, Capps, Harrington, and Mitchell:

**H.B. 1206**, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE LOCAL FUNDS TO RECRUIT AND RETAIN TEACHERS IN CRITICAL SHORTAGE AREAS, is referred to the Committee on Education.

By Representatives Shubert, Capps, Harrington, and Morris:

**H.B. 1207**, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL BOARD OF EDUCATION TO APPLY FOR CHARTER STATUS FOR ONE OR MORE OF ITS PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Shubert, Davis, Harrington, Morris, Russell, and Thompson:

**H.B. 1208**, A BILL TO BE ENTITLED AN ACT TO ENABLE RETIRED SCHOOL EMPLOYEES TO RETURN TO THE PUBLIC SCHOOLS AFTER SIX MONTHS WITHOUT LOSING RETIREMENT BENEFITS, is referred to the Committee on Education.

By Representatives Shubert, Davis, Harrington, Morris, and Thompson:

**H.B. 1209**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PAY OF SUBSTITUTE TEACHERS, is referred to the Committee on Education.

By Representatives Shubert, Harrington, Morris, and Thompson:

**H.B. 1210**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE SALARIES OF COMMUNITY COLLEGE FACULTY MEMBERS, is referred to the Committee on Education.

By Representatives Shubert and Carpenter:

**H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL NOT OFFER REMEDIAL EDUCATION PROGRAMS, is referred to the Committee on Education.

By Representatives Shubert and Harrington:

**H.B. 1212**, A BILL TO BE ENTITLED AN ACT TO NOTIFY PARENTS ABOUT THE USE OF AN EXPERIMENTAL WRITING CURRICULUM

AND ABOUT THE RESULTS OF STATE WRITING TESTS, is referred to the Committee on Education.

By Representative Tolson:

**H.B. 1213**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALTERNATIVE FUEL VEHICLE REBATE AND INFRASTRUCTURE GRANT PROGRAM, is referred to the Committee on Finance.

By Representative Cox:

**H.B. 1214**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF SEXUAL ASSAULT AND TO PROVIDE FOR SEX OFFENDER REGISTRATION FOR A SECOND OR SUBSEQUENT CONVICTION OF THAT OFFENSE, is referred to the Committee on Judiciary III.

By Representative Hackney:

**H.B. 1215**, A BILL TO BE ENTITLED AN ACT TO EXTEND BY FIVE YEARS THE SUNSET REGARDING THE DISPOSAL OF DEMOLITION DEBRIS IN AN ON-SITE LANDFILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS, is referred to the Committee on Environment and Natural Resources.

By Representative Hackney:

**H.B. 1216**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hackney, Barefoot, and Goodwin:

**H.B. 1217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LIENHOLDERS BE NOTIFIED IMMEDIATELY WHEN A MOTOR VEHICLE IS SUBJECT TO FORFEITURE FOR IMPAIRED DRIVING AFTER IMPAIRED DRIVING LICENSE REVOCATION, is referred to the Committee on Judiciary I.

By Representatives Owens, Fitch, and Arnold (Primary Sponsors):

**H.B. 1218**, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFERENDUM FOR THE ESTABLISHMENT OF AN EDUCATION

LOTTERY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Jeffus, Baddour, Hurley, Wainwright, and G. Wilson:

**H.B. 1219**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, is referred to the Committee on Ways and Means.

By Representative Holliman:

**H.B. 1220**, A BILL TO BE ENTITLED AN ACT TO RENAME FAMILY CARE HOMES UNDER CHAPTER 168 OF THE GENERAL STATUTES AS COMMUNITY RESIDENCES FOR PERSONS WITH A DISABILITY; TO PROHIBIT SPACING LIMITATIONS ON COMMUNITY RESIDENCES FOR PERSONS WITH A DISABILITY; AND TO MAKE TECHNICAL CHANGES, is referred to the Committee on Health.

By Representatives Nesbitt and M. Crawford:

**H.B. 1221**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSES FOR WHICH FUNDS APPROPRIATED TO ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE MAY BE USED, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Insko, Wright, Morris, and Wainwright:

**H.B. 1222**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF NURSING TO REGULATE THE PRACTICE OF NURSING BY NURSE PRACTITIONERS AND NURSE MIDWIVES, is referred to the Committee on Health.

By Representatives Nesbitt, Barefoot, M. Crawford, Morris, and Wainwright:

**H.B. 1223**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TEACHER ASSISTANT SALARY SCHEDULE, is referred to the Committee on Appropriations.

By Representatives Nesbitt and M. Crawford:

**H.B. 1224**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE WITHHOLDING OF RETAINAGE ON CONSTRUCTION PROJECTS WHEN CERTAIN BONDS ARE PROVIDED AND TO REQUIRE, IN CONNECTION WITH CERTAIN PRIVATE CONTRACTS FOR IMPROVEMENTS TO REAL PROPERTY, A LINE ITEM RELEASE OF RETAINAGE BASED ON THE PERCENTAGE OF WORK COMPLETED AND APPROVED, is referred to the Committee on Judiciary I.

By Representative Nesbitt:

**H.B. 1225**, A BILL TO BE ENTITLED AN ACT RELATING TO DISCUSSION OF PENDING LITIGATION IN CLOSED SESSIONS, is referred to the Committee on Judiciary I.

By Representatives Hackney and Alexander:

**H.B. 1226**, A BILL TO BE ENTITLED AN ACT TO IMPROVE AIR QUALITY THROUGH LOCAL LAND DEVELOPMENT AND TRANSPORTATION PLANNING, is referred to the Committee on Transportation.

By Representatives Hackney, Bowie, Redwine, and McComas (Primary Sponsors); Alexander and Thompson:

**H.B. 1227**, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE MORATORIUM ON NEW BILLBOARDS ALONG A DESIGNATED SECTION OF INTERSTATE 40, is referred to the Committee on Environment and Natural Resources.

By Representative Shubert:

**H.B. 1228**, A BILL TO BE ENTITLED AN ACT PROHIBITING THE USE OF AGE AS THE SOLE FACTOR IN DETERMINING WHETHER AN ADOPTIVE PARENT OR FOSTER PARENT SHOULD BE ALLOWED TO ADOPT OR PROVIDE FOSTER CARE FOR A MINOR, is referred to the Committee on Children, Youth and Families.

By Representatives Shubert, Harrington, and Russell:

**H.B. 1229**, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE GEOGRAPHICAL SOURCES OF MAINTENANCE FUNDS, TO PROVIDE FOR THE DISTRIBUTION OF MAINTENANCE FUNDS, AND TO

REQUIRE INTERNET REPORTING OF ALL MAINTENANCE AND CONSTRUCTION EXPENDITURES, is referred to the Committee on Transportation.

By Representatives Hensley and Fitch:

**H.B. 1230**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTROLLED SUBSTANCE ANALOGUE, IF INTENDED FOR HUMAN CONSUMPTION, SHALL BE TREATED AS A SCHEDULE I CONTROLLED SUBSTANCE FOR PURPOSES OF ANY STATE LAW, is referred to the Committee on Judiciary III.

By Representative Hensley:

**H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FORMULA USED TO APPORTION THE INCOME OF MULTISTATE CORPORATIONS TO THIS STATE BY ELIMINATING THE DOUBLE-WEIGHTED SALES FACTOR, is referred to the Committee on Finance.

By Representatives Redwine, Baddour, Easterling, and Oldham (Primary Sponsors); Adams, Alexander, Allen, Barefoot, Culpepper, Cunningham, Dedmon, Earle, Gibson, Goodwin, Hackney, Morris, Nesbitt, Owens, Russell, Thompson, and Wainwright:

**H.B. 1232**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE HEALTH AND WELLNESS TRUST FUND COMMISSION TO ENDEAVOR TO FUND PROGRAMS AND INITIATIVES TO EXPAND ACCESS TO PRESCRIPTION DRUGS FOR SENIORS, is referred to the Committee on Health.

By Representative Shubert:

**H.B. 1233**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY A STATEWIDE PLAN FOR USING HIGHWAY CONSTRUCTION TO ENHANCE OVERALL ECONOMIC PROSPERITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Shubert and Harrington:

**H.B. 1234**, A BILL TO BE ENTITLED AN ACT TO MAKE THE NORTH CAROLINA LIBRARIES FOR VIRTUAL EDUCATION (NC LIVE)

SYSTEM AVAILABLE IN ALL SCHOOLS IN THE STATE, is referred to the Committee on Education.

By Representative Ellis:

**H.B. 1235**, A BILL TO BE ENTITLED AN ACT TO PLACE CERTAIN LIMITS ON THE SITING OF A SANITARY LANDFILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mitchell:

**H.B. 1236**, A BILL TO BE ENTITLED AN ACT TO PROTECT THE STATE'S FISHING INDUSTRY AND MARINE RESOURCES BY RESTRICTING TRAWLERS TO TWO TRAWL NETS OF NO MORE THAN FIFTY FEET EACH PLUS THE ROPE EXTENSION USED FOR EACH NET TO CONNECT THE NET TO THE TRAWL NET DOORS, is referred to the Committee on Environment and Natural Resources.

By Representative Miller:

**H.B. 1237**, A BILL TO BE ENTITLED AN ACT REQUIRING CERTAIN OWNERS OF RESIDENTIAL RENTAL PROPERTY TO REGISTER WITH THE CITY IN WHICH THEY ARE DOING BUSINESS, is referred to the Committee on Local Government I.

By Representative Luebke:

**H.B. 1238**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE PRESCRIPTION DRUG COVERAGE FOR ELDERLY AND DISABLED PERSONS NOT OTHERWISE ELIGIBLE FOR MEDICAID, is referred to the Committee on Health.

By Representative Luebke:

**H.B. 1239**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF PRESCRIPTIONS THAT MAY BE DISPENSED WITHIN A DAY BY A PHARMACIST LICENSED IN THIS STATE, is referred to the Committee on Health.

By Representative Luebke:

**H.B. 1240**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE

LAWFUL POSSESSION AND USE OF MARIJUANA FOR THE TREATMENT OR ALLEVIATION OF PAIN OR OTHER SYMPTOMS ASSOCIATED WITH CERTAIN DEBILITATING MEDICAL CONDITIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Redwine:

**H.B. 1241**, A BILL TO BE ENTITLED AN ACT TO INCLUDE SICK LEAVE IN THE COMPUTATION OF SERVICE RETIREMENT BENEFITS FOR MEMBERS OF THE JUDICIAL RETIREMENT SYSTEM IN THE SAME MANNER THAT IT IS INCLUDED FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Blust, Davis, Harrington, and Morris:

**H.B. 1242**, A BILL TO BE ENTITLED AN ACT TO ENACT THE MODEL EDUCATION QUALITY AND TEACHER PROTECTION ACT, is referred to the Committee on Education.

By Representatives Blust, Davis, and Morris:

**H.B. 1243**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A VOTER SIGNATURE AT THE POLLS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representative Baddour:

**H.B. 1244**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ALTERNATIVE JUDICIAL PROCESS FOR CHILD SUPPORT CASES IN DISTRICT COURT DISTRICTS THAT HAVE FAMILY COURT PILOT PROJECTS AND TO ALLOW THE USE OF CHILD SUPPORT HEARING OFFICERS IN THOSE FAMILY COURT PILOT PROJECTS, is referred to the Committee on Judiciary II.

By Representatives Baddour and Wainwright:

**H.B. 1245**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT MALE RESIDENTS AGE 18 THROUGH 25 COMPLY WITH THE SELECTIVE SERVICE SYSTEM'S REGISTRATION REQUIREMENTS BEFORE A LICENSE OR IDENTIFICATION CARD MAY BE ISSUED BY THE DIVISION OF MOTOR VEHICLES, is referred to the Committee on Judiciary II.

By Representative Arnold:

**H.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, is referred to the Committee on Education.

By Representatives Goodwin and Smith:

**H.B. 1247**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SECOND OR SUBSEQUENT CONVICTION OF A SEX OFFENSE COMMITTED AGAINST A MINOR SHALL BE ADDED TO THE LIST OF AGGRAVATING FACTORS TO BE CONSIDERED BY THE COURT WHEN IMPOSING A SENTENCE FOR A CRIMINAL OFFENSE, is referred to the Committee on Judiciary III.

By Representatives Goodwin and Alexander (Primary Sponsors):

**H.B. 1248**, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO REGULATE THE SALE OF KEGS OF MALT BEVERAGE, is referred to the Committee on Judiciary III.

By Representatives Goodwin and Alexander (Primary Sponsors):

**H.B. 1249**, A BILL TO BE ENTITLED AN ACT TO MAKE IT ILLEGAL TO POSSESS FRAUDULENT IDENTIFICATION WHILE ATTEMPTING TO ENTER A PERMITTEE OR OBTAIN ALCOHOLIC BEVERAGES, is referred to the Committee on Judiciary III.

By Representatives Goodwin and Dedmon (Primary Sponsors); Barefoot, Morris, and Wainwright:

**H.B. 1250**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A FALLEN FIREFIGHTERS MEMORIAL DAY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Goodwin and Russell:

**H.B. 1251**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE'S



PAYING ONE HUNDRED PERCENT OF THE NONFEDERAL SHARE OF MEDICAID COSTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 1252**, A BILL TO BE ENTITLED AN ACT ALLOWING LOCAL BOARDS OF EDUCATION TO PLAN FOR SCHOOL SECURITY ISSUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Goodwin:

**H.B. 1253**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, is referred to the Committee on Insurance.

By Representatives Pope and C. Wilson:

**H.B. 1254**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW, is referred to the Committee on Health.

By Representatives Barefoot and Cox (Primary Sponsors); Russell, Thompson, and Wainwright:

**H.B. 1255**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Underhill and McLawhorn (Primary Sponsors); Coates, Harrington, Holliman, and Wainwright:

**H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERFORMANCE-BASED LICENSURE PROGRAM TO PERMIT BEGINNING TEACHERS TO SUBMIT PORTFOLIOS DURING THE THIRD YEAR OF TEACHING, is referred to the Committee on Education.

By Representative Underhill:

**H.B. 1257**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO AUTHORIZE THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DELEGATE TO THE DIVISION OF FOREST RESOURCES CERTAIN RESPONSIBILITIES RELATED TO THE IDENTIFICATION OF STREAMS IN ORDER TO IMPLEMENT THE STREAM BUFFER RULES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis (By Request); Blust, Capps, Culp, Gillespie, Harrington, Hiatt, Hilton, Hurley, Morris, Setzer, and G. Wilson:

**H.B. 1258**, A BILL TO BE ENTITLED AN ACT TO ENACT THE HISTORICAL MONUMENTS AND MEMORIALS PROTECTION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Davis and Carpenter (Primary Sponsors); Blust, Capps, Culp, Gillespie, Harrington, Hiatt, Hilton, Morris, Setzer, and G. Wilson:

**H.B. 1259**, A BILL TO BE ENTITLED AN ACT TO DEFINE PUBLIC HEALTH REQUIREMENTS FOR ABORTION CLINICS, is referred to the Committee on Health.

By Representatives Davis and Morris:

**H.B. 1260**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS UNLAWFUL TO DISSEMINATE CERTAIN MATERIALS TO A MINOR WITHOUT WRITTEN PARENTAL CONSENT AND TO PROVIDE THAT CRIMINAL AND CIVIL PENALTIES MAY BE IMPOSED FOR THOSE VIOLATIONS, is referred to the Committee on Judiciary I.

By Representatives Boyd-McIntyre, Alexander, Allen, Baddour, Barefoot, Bell, Church, Coates, Cole, M. Crawford, Cunningham, Dockham, Easterling, Esposito, Fox, Gulley, Hackney, Haire, Hall, Harrington, Hill, Holliman, Insko, Jarrell, Luebke, McLawhorn, Morris, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sutton, Tolson, Underhill, Wainwright, Warren, Weiss, C. Wilson, Womble, and Yongue:

**H.R. 1261**, A HOUSE RESOLUTION HONORING NORTH CAROLINA'S 2000 OLYMPIC MEDAL WINNERS AND INVITING MARION JONES, 2000 OLYMPIC TRACK AND FIELD GOLD MEDALIST, TO ADDRESS THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright, Barefoot, Thompson, and Wainwright:

**H.J.R. 1262**, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE SERVICES COMMISSION TO REVIEW THE SECURITY SURVEY OF THE GENERAL ASSEMBLY COMPLEX AS ISSUED BY THE UNITED STATES SECRET SERVICE, AND IMPLEMENT ITS RECOMMENDATIONS AS NECESSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and Rogers:

**H.B. 1263**, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE BENEFITS PACKAGE UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

**H.B. 1264**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PUBLIC HEALTH IMPACT OF HEPATITIS C IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and Earle (Primary Sponsors):

**H.B. 1265**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROJECT; TO CONVENE A QUALITY STANDARDS WORK GROUP TO EXPLORE ALTERNATIVES TO OVERSIGHT AND SURVEY PRACTICES; AND PERTAINING TO SURVEY TEAM MEMBERS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN REVIEWING NURSING HOME PROVIDER COMPLIANCE WITH STATE AND FEDERAL LAW, is referred to the Committee on Appropriations.

By Representatives Wright, Brubaker, and Hiatt:

**H.B. 1266**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF REGISTERED NURSE FIRST ASSISTANTS

UNDER HEALTH INSURANCE POLICIES AND PLANS, is referred to the Committee on Insurance.

By Representative Wright:

**H.J.R. 1267**, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO REVIEW THE SECURITY SURVEY OF THE GENERAL ASSEMBLY COMPLEX AS ISSUED BY THE UNITED STATES SECRET SERVICE, AND MAKE RECOMMENDATIONS ON IMPLEMENTING ITS RECOMMENDATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

**H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO REENACT THE LAW GOVERNING PERMITS FOR URBAN WATERFRONT DEVELOPMENT IN HISTORICALLY URBAN AREAS, is referred to the Committee on Environment and Natural Resources.

By Representatives McComas and Davis:

**H.B. 1269**, A BILL TO BE ENTITLED AN ACT REGARDING AIRPORT FEES AND CHARGE FOR RENTAL CARS, is referred to the Committee on Ways and Means.

By Representative Haire (By Request):

**H.B. 1270**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FULL FAITH AND CREDIT TO JUDGMENTS OF THE EASTERN BAND OF CHEROKEES' TRIBAL COURTS AS THOSE COURTS RECIPROCALLY PROVIDE JUDGMENTS OF NORTH CAROLINA COURTS, is referred to the Committee on Judiciary II.

By Representatives Haire and Nesbitt (Primary Sponsors); Barefoot and Dedmon:

**H.B. 1271**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NATIONAL HERITAGE AREA COMMISSION TO SEEK THE DESIGNATION THROUGH THE UNITED STATES CONGRESS OF THE NORTH CAROLINA APPALACHIAN HERITAGE AREA AS A

NATIONAL HERITAGE AREA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson and Barefoot:

**H.B. 1272**, A BILL TO BE ENTITLED AN ACT REQUIRING STATE AGENCIES TO USE LIFE-CYCLE COST ANALYSIS FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, AND RENOVATION OF STATE FACILITIES AND FOR THE PURCHASE, OPERATION, AND MAINTENANCE OF EQUIPMENT FOR THESE FACILITIES AND IMPLEMENTING A PILOT PROGRAM TO REVIEW THE USE OF THE TRIANGLE J COUNCIL OF GOVERNMENTS' HIGH PERFORMANCE GUIDELINES IN THE RENOVATION OR CONSTRUCTION OF STATE FACILITIES, is referred to the Committee on State Government.

By Representatives Justus, Allen, Allred, Barefoot, Barnhart, Blust, Bowie, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, J. Crawford, Creech, Culp, Cunningham, Davis, Decker, Dedmon, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Haire, Hall, Hensley, Hill, Hilton, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Kiser, McComas, Mitchell, Nye, Owens, Rayfield, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Thompson, Tolson, Wainwright, Walend, Warner, West, Wright, and Yongue:

**H.B. 1273**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO OBTAIN PROOF OF ADDRESS ON APPLICATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Insko:

**H.B. 1274**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY LOCAL OPTION ENTERTAINMENT TAXES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Alexander and Goodwin (Primary Sponsors); Barefoot, Wainwright, and Weiss:

**H.B. 1275**, A BILL TO BE ENTITLED AN ACT TO CREATE THE UNDERAGE DRINKING STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nesbitt:

**H.B. 1276**, A BILL TO BE ENTITLED AN ACT TO CLOSE THE LEGAL LOOPHOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS AND TO EQUALIZE PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS, is referred to the Committee on Judiciary I.

By Representatives Nesbitt and M. Crawford:

**H.B. 1277**, A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO PROVIDE COMPENSATORY LEAVE TIME TO CERTIFIED EMPLOYEES, is referred to the Committee on Education.

By Representative Owens:

**H.B. 1278**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "CASINO NIGHTS", is referred to the Committee on Judiciary III.

By Representatives Allred, Bowie, Davis, Edwards, Gulley, Justus, and Warner:

**H.B. 1279**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE RESIDENCY REQUIREMENT TO QUALIFY FOR IN-STATE TUITION FROM ONE YEAR TO THREE YEARS, is referred to the Committee on Education.

By Representatives Carpenter, Barnhart, Capps, Davis, Gillespie, Harrington, Hiatt, Hilton, Howard, Hurley, Johnson, Kiser, McComas, Morris, Starnes, Walend, and C. Wilson:

**H.B. 1280**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED, is referred to the Committee on Health.

By Representative Carpenter (By Request):

**H.B. 1281**, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE THE SOVEREIGNTY OF THE EASTERN BAND OF CHEROKEE

INDIANS AND TO PROVIDE FULL FAITH AND CREDIT TO JUDGMENTS AND ORDERS OF THE TRIBAL COURT, is referred to the Committee on Judiciary II.

By Representatives Weiss, Jeffus, Luebke, and Morris:

**H.B. 1282**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DEPARTMENTAL REVIEW OF CRIMINAL HISTORY RECORD CHECKS TO DETERMINE IF PERSONS EMPLOYED IN ADULT CARE HOMES AND NURSING HOMES ARE FIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED PERSONS; AND TO PROVIDE THAT INDIVIDUALS DETERMINED TO BE UNFIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED INDIVIDUALS MAY NOT BE EMPLOYED IN ADULT CARE HOMES AND NURSING HOMES, is referred to the Committee on Judiciary II.

By Representatives Weiss, Luebke, and Thompson:

**H.B. 1283**, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAWS, is referred to the Committee on Environment and Natural Resources.

By Representatives Weiss and Luebke:

**H.B. 1284**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION THAT COURT RECORDS FOR CIVIL, ADMINISTRATIVE, AND CRIMINAL CASES ARE OPEN, TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO SEAL A COURT RECORD, TO ESTABLISH A PRESUMPTION THAT THE HEARINGS, PROCEEDINGS, AND TRIALS FOR CIVIL, ADMINISTRATIVE, AND CRIMINAL CASES ARE OPEN, AND TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO CONDUCT A CLOSED HEARING, PROCEEDING, OR TRIAL, is referred to the Committee on Judiciary II.

By Representatives McLawhorn and Underhill (Primary Sponsors); and Adams:

**H.B. 1285**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT

ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING, is referred to the Committee on Education.

By Representative Goodwin (By Request):

**H.B. 1286**, A BILL TO BE ENTITLED AN ACT REPEALING THE REQUIREMENT OF THE CONFERENCE OF DISTRICT ATTORNEYS TO MAINTAIN A REPOSITORY RELATING TO VICTIMS' INFORMATION, is referred to the Committee on Judiciary III.

By Representatives Baddour, Morris, Russell, and Wainwright:

**H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Fox, Adams, Alexander, Cox, and Wainwright:

**H.B. 1288**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER, is referred to the Committee on Appropriations.

By Representatives Rogers, Warner, Boyd-McIntyre and Bonner (Primary Sponsors); Allen, Barefoot, Bell, Church, Cole, J. Crawford, Dedmon, Earle, Fox, Hall, Hill, Hurley, Jarrell, McLawhorn, Morris, Saunders, Tolson, Wainwright, and Yongue:

**H.B. 1289**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, is referred to the Committee on Education.

By Representative Rogers:

**H.B. 1290**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carpenter and M. Crawford:

**H.B. 1291**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MUNICIPALITY TO HAVE A POPULATION OF MORE THAN FIVE



HUNDRED PERSONS TO EXERCISE EXTRATERRITORIAL JURISDICTION, is referred to the Committee on Local Government I.

By Representatives Blust, Davis, Harrington, and Morris:

**H.B. 1292**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT OF EXPENSES TO A PREVAILING TAXPAYER IN AN ADMINISTRATIVE APPEAL OR A LAWSUIT IF THE STATE WAS NOT SUBSTANTIALLY JUSTIFIED IN MAINTAINING ITS POSITION AGAINST THE TAXPAYER, is referred to the Committee on Finance.

By Representative Blust:

**H.B. 1293**, A BILL TO BE ENTITLED AN ACT TO PROVIDE BALANCE IN THE RESIDENCY OF DISTRICT COURT JUDGES IN DISTRICT COURT DISTRICT EIGHTEEN, is referred to the Committee on Judiciary I.

By Representative Luebke:

**H.B. 1294**, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTER REGISTRATION ON ELECTION DAY, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Luebke, Jeffus, Wainwright, and Weiss:

**H.B. 1295**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES EARNING LESS THAN TWENTY THOUSAND DOLLARS PER YEAR SHALL BE PAID ONCE EVERY TWO WEEKS, is referred to the Committee on State Government.

By Representative Luebke:

**H.B. 1296**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING TRAFFIC STOPS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke and Barefoot:

**H.B. 1297**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATING TO GANG VIOLENCE AND JUVENILE CRIME, AND CONSIDER PREVENTIVE MEASURES AND ACCOUNTABILITY STRATEGIES THAT MAY HELP TO DIVERT YOUTH AND CHILDREN

FROM GANG PARTICIPATION AND REDUCE JUVENILE CRIME, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Gibson:

**H.B. 1298**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL OPERATING FEES APPLICABLE TO COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANKS, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1299**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FROM THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND THE NONCOMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO SUPPORT THE ADMINISTRATION OF THE PETROLEUM UNDERGROUND STORAGE TANK PROGRAM, is referred to the Committee on Appropriations.

By Representative Gibson:

**H.B. 1300**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES IN WHICH LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN THE OFFICE OF THE REGISTER OF DEEDS ARE REQUIRED IN CONNECTION WITH THE CLEANUP OF A RELEASE FROM A PETROLEUM UNDERGROUND STORAGE TANK IN ORDER TO PROTECT THE ENVIRONMENT AND PUBLIC HEALTH, TO ENSURE ENFORCEABILITY OF RESTRICTIONS, AND TO PROVIDE NOTICE TO SUBSEQUENT OWNERS OF THE PROPERTY, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

**H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND DEED RECORDATION, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

**H.B. 1302**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND DEED RECORDATION AND TO INCREASE THE ANNUAL OPERATING FEES APPLICABLE TO COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANKS, is referred to the Committee on Finance.

By Representative Gibson:

**H.B. 1303**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CIRCUMSTANCES IN WHICH LAND-USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN THE OFFICE OF THE REGISTER OF DEEDS ARE REQUIRED IN CONNECTION WITH THE CLEANUP OF A RELEASE FROM A PETROLEUM UNDERGROUND STORAGE TANK IN ORDER TO PROTECT THE ENVIRONMENT AND PUBLIC HEALTH, TO ENSURE ENFORCEABILITY OF RESTRICTIONS, AND TO PROVIDE NOTICE TO SUBSEQUENT OWNERS OF THE PROPERTY AND TO INCREASE THE ANNUAL OPERATING FEES APPLICABLE TO COMMERCIAL PETROLEUM UNDERGROUND STORAGE TANKS, is referred to the Committee on Environment and Natural Resources and, if favorable, to the Committee on Finance.

By Representatives Gibson, Morris, McLawhorn, and Coates (Primary Sponsors); Underhill and Wainwright:

**H.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TREASURER AND THE NORTH CAROLINA HOUSING FINANCE AGENCY TO DEVELOP PILOT PROGRAMS TO PROVIDE NEW TEACHERS WITH MORTGAGE ASSISTANCE TO ENCOURAGE THEM TO STAY IN THE CLASSROOM FOR A PERIOD OF AT LEAST THREE YEARS, is referred to the Committee on Education.

By Representatives Gibson and Barefoot:

**H.B. 1305**, A BILL TO BE ENTITLED AN ACT TO PRESCRIBE THE PLACEMENT OF SIGNS ADVERTISING THE LOCATION OF ABC STORES, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Gibson, McLawhorn, and Russell:

**H.B. 1306**, A BILL TO BE ENTITLED AN ACT TO CLARIFY IMMUNITY FOR HONORING A PORTABLE DO NOT RESUSCITATE ORDER, is referred to the Committee on Health.

By Representatives Gibson and Holmes (Primary Sponsors):

**H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES, is referred to the Committee on Ways and Means.

By Representative Gibson:

**H.B. 1308**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DATE BY WHICH ONLY LOW-SULFUR GASOLINE MAY BE SOLD IN THE STATE, is referred to the Committee on Environment and Natural Resources.

By Representatives Gibson and Underhill (Primary Sponsors); Barefoot, Coates, and Harrington:

**H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO REDUCE ROADSIDE LITTER BY REQUIRING RECYCLING BINS AT HIGHWAY REST AREAS AND TO INCREASE WASTE REDUCTION AND RECYCLING IN STATE OFFICES BY REQUIRING THE RECYCLING OF NEWSPAPERS, MIXED PAPER, RECYCLABLE GLASS, AND RIGID PLASTIC CONTAINERS, is referred to the Committee on Transportation and, if favorable, to the Committee on State Government.

By Representatives Gibson and Wainwright:

**H.B. 1310**, A BILL TO BE ENTITLED AN ACT AMENDING PROVISIONS OF THE STATE PERSONNEL ACT PERTAINING TO THE NUMBER AND THE APPEALS RIGHTS OF CERTAIN EXEMPT EMPLOYEES, is referred to the Committee on State Government.

By Representative Gibson:

**H.B. 1311**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE;

TO CODIFY THESE REMOVALS; AND TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, is referred to the Committee on Environment and Natural Resources.

By Representative Gibson:

**H.B. 1312**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEM PERMITTING, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, is referred to the Committee on Environment and Natural Resources.

By Representative Alexander:

**H.B. 1313**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE INTERPRETER AND TRANSLITERATOR LICENSURE ACT, is referred to the Committee on Finance.

By Representative Baddour:

**H.B. 1314**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO APPEAL CERTAIN ORDERS IN JUVENILE COURT, is referred to the Committee on Judiciary II.

By Representative Morris:

**H.B. 1315**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PARENTAL RIGHTS OF PERSONS WHO CONCEIVE A CHILD AS A RESULT OF A RAPE AND HOW THOSE RIGHTS MAY BE TERMINATED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morris:

**H.B. 1316**, A BILL TO BE ENTITLED AN ACT REQUIRING PHYSICIANS TO NOTIFY THE PARENT OR GUARDIAN OF A MINOR AFTER TREATING THE MINOR FOR VENEREAL DISEASE, PREGNANCY, ABUSE OF CONTROLLED SUBSTANCES OR ALCOHOL,

OR EMOTIONAL DISTURBANCE, is referred to the Committee on Health.

By Representative Easterling:

**H.B. 1317**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN RESTRICTIVE COVENANTS DO NOT APPLY TO LICENSED FAMILY CHILD CARE HOMES, is referred to the Committee on Children, Youth and Families.

By Representatives Warwick, Cole, Culpepper, and Brubaker (Primary Sponsors); Cox, Mitchell, Smith, and Thompson:

**H.B. 1318**, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE FARM MACHINERY FRANCHISE LAW, is referred to the Committee on Agriculture.

By Representative Warwick:

**H.B. 1319**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warwick:

**H.B. 1320**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING COASTAL ISSUES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt and M. Crawford:

**H.B. 1321**, A BILL TO BE ENTITLED AN ACT TO RESTORE IMMUNITY PROTECTION TO MUNICIPALITIES AND THEIR OFFICERS AND EMPLOYEES IN FURTHERANCE OF PUBLIC SAFETY AND INSPECTIONS, is referred to the Committee on Judiciary I.

By Representatives Jeffus, Adams, Luebke, Wainwright, and Warner:

**H.B. 1322**, A BILL TO BE ENTITLED AN ACT TO MAKE CHILDREN THE HIGHEST PRIORITY IN NORTH CAROLINA PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative McMahan:

**H.B. 1323**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ADOPTION OF A NORTH CAROLINA STATE BUILDING CODE THAT IS MODELED ON THE INTERNATIONAL BUILDING CODE FAMILY OF CODES AND TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT, is referred to the Committee on Ways and Means.

By Representative Hackney:

**H.B. 1324**, A BILL TO BE ENTITLED AN ACT TO AMEND DEFINITIONS APPLYING TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM IN ORDER TO COMPLY WITH RECENT UNITED STATES DEPARTMENT OF LABOR REGULATIONS REQUIRING THAT CERTAIN VISA HOLDERS BE OFFERED RETIREMENT BENEFITS AND ELIGIBILITY FOR RETIREMENT BENEFITS ON THE SAME BASIS AS UNITED STATES CITIZENS, is referred to the Committee on Pensions and Retirement.

By Representatives Blue, Alexander, Barefoot, Haire, Jeffus, and Wainwright:

**H.B. 1325**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATUTE OF REPOSE FOR ACTIONS BASED ON DEFECTS OR FAILURES IN RELATION TO PRODUCTS, is referred to the Committee on Ways and Means.

By Representatives Blue, Hensley, Teague, and G. Wilson:

**H.B. 1326**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE COMPREHENSIVE INSURANCE DEDUCTIBLE ON MOTOR VEHICLE WINDSHIELD GLASS, is referred to the Committee on Insurance.

By Representatives Underhill and McLawhorn (Primary Sponsors); Adams, Harrington, Russell, Thompson, and Wainwright:

**H.B. 1327**, A BILL TO BE ENTITLED AN ACT TO ENABLE SOME RETIRED TEACHERS TO RETURN TO THE CLASSROOM AFTER NINETY DAYS OF RETIREMENT WITHOUT LOSING RETIREMENT BENEFITS, is referred to the Committee on Pensions and Retirement.

By Representative Blust:

**H.B. 1328**, A BILL TO BE ENTITLED AN ACT TO ENACT THE AIRPORT CORRIDOR OFFICIAL MAP ACT, is referred to the Committee on Transportation.

By Representatives Carpenter, Teague, and West:

**H.B. 1329**, A BILL TO BE ENTITLED AN ACT PROHIBITING AN INSURER FROM AUTHORIZING OR REQUIRING THE USE OF NONORIGINAL CRASH REPAIR PARTS FOR MOTOR VEHICLE REPAIRS WITHOUT THE WRITTEN CONSENT FROM THE INSURED OR CLAIMANT, is referred to the Committee on Insurance.

By Representatives Clary and Morris (Primary Sponsors); and Davis:

**H.B. 1330**, A BILL TO BE ENTITLED AN ACT ALLOWING INTERNET VOTING BY NORTH CAROLINIANS SERVING THE ARMED FORCES, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Oldham, Barefoot, Easterling, and Cox (Primary Sponsors); Arnold, Bonner, Fox, Haire, Hall, Insko, Michaux, Morris, Rogers, Sutton, Tolson, Wainwright, Womble, and Yongue:

**H.B. 1331**, A BILL TO BE ENTITLED AN ACT TO ENABLE CERTAIN RETIRED SCHOOL EMPLOYEES TO RETURN TO THE PUBLIC SCHOOLS AFTER THREE MONTHS WITHOUT LOSING RETIREMENT BENEFITS, is referred to the Committee on Pensions and Retirement.

By Representatives Insko, Alexander, Adams, and Wright (Primary Sponsors); Luebke and Wainwright:

**H.B. 1332**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RECOGNIZE THE RIGHT TO HEALTH CARE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley, Teague, and G. Wilson:

**H.B. 1333**, A BILL TO BE ENTITLED AN ACT TO REQUIRE WINDSHIELDS ON MOTOR VEHICLES AND TO REQUIRE MOTOR



VEHICLES TO HAVE OPERATING WINDOWS ON THE DRIVER'S DOOR, is referred to the Committee on Transportation.

By Representative Barefoot:

**H.B. 1334**, A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives C. Wilson and Harrington:

**H.B. 1335**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CERTIFICATE OF NEED LICENSING PROCESS, is referred to the Committee on Health.

By Representatives C. Wilson and Harrington:

**H.B. 1336**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CERTIFICATE OF NEED LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Boyd-McIntyre and Wainwright:

**H.B. 1337**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SUPPORT FOR INITIALLY LICENSED TEACHERS, is referred to the Committee on Education.

By Representatives Boyd-McIntyre and Barefoot:

**H.B. 1338**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

**H.B. 1339**, A BILL TO BE ENTITLED AN ACT RELATING TO PERMANENT IDENTIFICATION INSIDE OF BURIAL VAULTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mitchell:

**H.B. 1340**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EXPEDITED POST TOWING PROCEDURES WHEN VEHICLES ARE REMOVED FROM PRIVATE PROPERTY, is referred to the Committee on Judiciary II.

By Representative Culpepper:

**H.B. 1341**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

**H.B. 1342**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TIME LIMITS FOR NOTIFICATION OF LEASED VEHICLE PARKING VIOLATIONS AND THE APPLICABILITY OF THE PRIMA FACIE RULE OF EVIDENCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Fitch:

**H.J.R. 1343**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF E.T. BEDDINGFIELD, JR. AND RECOGNIZING THE E.T. BEDDINGFIELD, JR. HIGH SCHOOL ACADEMIC RENAISSANCE STUDENT AND ALUMNI HALL OF FAME, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hackney:

**H.B. 1344**, A BILL TO BE ENTITLED AN ACT REGULATING DEVELOPMENTS OF REGIONAL IMPACT, is referred to the Committee on Environment and Natural Resources.

By Representatives Hunter, Adams, Cunningham, Michaux, Miller, Oldham, and Wainwright:

**H.B. 1345**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE

April 12, 2001

COMMUNITY DEVELOPMENT INITIATIVE, is referred to the Committee on Appropriations.

By Representatives Hunter, Luebke, and Hall (Primary Sponsors); Adams, Alexander, Cunningham, Michaux, Miller, Mitchell, Oldham, and Wainwright:

**H.B. 1346**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MINORITY SUPPORT CENTER, is referred to the Committee on Appropriations.

By Representative Cunningham:

**H.B. 1347**, A BILL TO BE ENTITLED AN ACT RELATING TO SMALL CONSTRUCTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner and Wainwright:

**H.B. 1348**, A BILL TO BE ENTITLED AN ACT TO ENABLE RETIRED SCHOOL COUNSELORS TO RETURN TO THE PUBLIC SCHOOLS THE NEXT YEAR WITHOUT LOSING RETIREMENT BENEFITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Warner:

**H.B. 1349**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT LATERAL ENTRY TEACHERS GET CREDIT FOR ALL PRIOR TEACHING EXPERIENCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wainwright and Luebke (Primary Sponsors):

**H.B. 1350**, A BILL TO BE ENTITLED AN ACT TO MAKE PUBLIC CERTAIN CORPORATE TAX INFORMATION, is referred to the Committee on Financial Institutions.

By Representative Harrington:

**H.B. 1351**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WITH A PRIOR CONVICTION OF A VIOLENT

FELONY MAY BE DECLARED A VIOLENT FELON UPON CONVICTION OF A SECOND VIOLENT FELONY, is referred to the Committee on Judiciary I.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 11** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES TO THE ELECTION LAWS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 17** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 13 AND ARTICLE 14 OF CHAPTER 163 OF THE GENERAL STATUTES, AS RECOMMENDED BY THE ELECTION LAWS REVISION COMMISSION, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 206**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOURIST-ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM, is read the first time and referred to the Committee on Transportation.

**S.B. 401** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST FORSYTH COUNTY AND STANLY COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES, is read the first time and referred to the Committee on Local Government II.

**S.B. 463** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE PRACTICE OF NURSING, is read the first time and referred to the Committee on Health.

**S.B. 650**, A BILL TO BE ENTITLED AN ACT DIRECTING FORSYTH TECHNICAL COMMUNITY COLLEGE TO STUDY THE FEASIBILITY OF ESTABLISHING A SATELLITE CAMPUS IN STOKES COUNTY, is read the first time and referred to the Committee on Education.

**S.B. 739** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES AND LICENSED CLINICAL SOCIAL WORKERS, is read the first time and referred to the Committee on Judiciary I.

The House stands adjourned at 3:17 p.m.

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## **FORTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, April 16, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Living Lord, come walk among us and teach us to walk with You. Move us beyond simply doing our duty as elected officials to serving in mission to better the lives of the people of this State. Rekindle within us the passion to reach out to others in love and understanding. Make us instruments of Your will, that we might give hope to the hopeless, strength to the faltering, support for the working, and compassion to the needy. Teach us to live more daringly, to think outside the box and look beyond the status quo. Transform us with Your Spirit, that we might become revitalized servants of this State, of its people, and of You. Amen."

The Speaker Pro Tempore leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Hiatt, Hunter, Luebke, Pope, Redwine, and Wright for today. Speaker Black is excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 3, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES.**

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 198**, AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

**H.B. 306**, AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES.

**H.B. 423**, AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS.

**H.B. 477**, AN ACT TO REPEAL THE MARION FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

**H.B. 604**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM.

**H.B. 621**, AN ACT TO REPEAL THE CARY LOCAL FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND.

**H.B. 699**, ACT TO PROVIDE FOR THE ELECTION OF THE CAMDEN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION ON A NONPARTISAN BASIS.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.R. 816**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSEY GUY DEWITT AND RECOGNIZING NORTH CAROLINA AS THE NASCAR STOCK CAR RACING CAPITAL OF THE

WORLD, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution and recommendation that the committee substitute resolution be adopted.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar of April 17. The original resolution is placed on the Unfavorable Calendar.

By Representative McLawhorn for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 431**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ADOPT RULES AND POLICIES REGARDING THE USE OF FUNDS FOR STUDENT FINANCIAL ASSISTANCE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 80**, A BILL TO BE ENTITLED AN ACT TO INCREASE BENEFITS FOR MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 143**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 355**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FISCAL NOTE REQUIREMENT FOR CHANGES IN THE STATE BUILDING CODE; TO UPDATE REFERENCES TO ORGANIZATIONS WHOSE STANDARDS MAY BE USED IN ADOPTING CODE PROVISIONS; AND TO GIVE THE BUILDING CODE COUNCIL EXPLICIT AUTHORITY TO USE STANDARDS OF INTERNATIONAL AGENCIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 260**, A BILL TO BE ENTITLED AN ACT TO CREATE THE ELECTION LAWS REVISION COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

**H.B. 831**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATION OF ELECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Vice Chair, for the Committee on Health:

**H.B. 452**, A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.



**H.B. 453**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

**H.B. 736**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LONG-TERM CARE FACILITIES POST INFORMATION ABOUT STAFFING LEVELS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 17. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 536**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ALL MUNICIPALITIES IN THE STATE TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

**S.B. 243** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND TOWNS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b)(2), House Committee Substitute Bill No. 2 is re-referred to the Committee on Rules, Calendar, and Operations of the House. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 333**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISION FOR PAYMENT OF THE DEATH BENEFIT UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRALS**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

**H.B. 25**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS;

**H.B. 26**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS;

**H.B. 29**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS; and

**H.B. 823**, A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRACURRICULAR ACTIVITIES AT PUBLIC SCHOOLS.

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Universities:

**H.B. 151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LEGISLATIVE TUITION GRANT MAY BE PAID TO A STUDENT WHO ATTENDS A BIBLE COLLEGE THAT MEETS THE SAME CRITERIA AS OTHER PRIVATE SCHOOLS;

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE JURISDICTION AND AUTHORITY OF UNIVERSITY OF NORTH CAROLINA CAMPUS LAW ENFORCEMENT AGENCIES; and

**H.B. 1004**, A BILL TO BE ENTITLED AN ACT TO ADD ANSON COUNTY TO THE MODEL TEACHER EDUCATION CONSORTIUM.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hurley:

**H.B. 1352**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A LOCAL-OPTION ONE-CENT SALES TAX IN LIEU OF LOCAL GOVERNMENTS' TAX REIMBURSEMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson and Warren.

**H.B. 1353**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A LIVESTOCK FACILITY AT THE EASTERN NORTH CAROLINA LIVESTOCK ARENA SITE, is referred to the Committee on Appropriations.

By Representatives Tolson, Alexander, Allen, Barefoot, Bell, Bonner, Fox, Haire, Hall, Harrington, Hill, Holliman, Hurley, Johnson, McLawhorn, Owens, Redwine, Rogers, Saunders, Sutton, Teague, Thompson, Tucker, Wainwright, Walend, Walker, Warner, Warren, and Yongue:

**H.B. 1354**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES TO FUND THE PORTION OF THE STATEWIDE NETWORK SUPPORTING DATA AND VIDEO SERVICES, is referred to the Committee on Appropriations.

By Representative Buchanan:

**H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AFRICAN-AMERICAN CULTURAL CENTER IN THE CITY OF HICKORY, is referred to the Committee on Appropriations.

By Representative Gray:

**H.B. 1356**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CHILDREN'S MUSEUM IN WINSTON-SALEM, is referred to the Committee on Appropriations.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**S.B. 398**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO THE DEFINITION OF UNDUE FAMILY HARDSHIP UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is read the first time and referred to the Committee on Ways and Means.

**S.B. 531** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COMMUNITY COLLEGE ACTIVITIES FROM THE UMSTEAD ACT, is read the first time and referred to the Committee on Education.

**S.B. 885** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING CERTAIN STATUTES REGULATING UNSAFE BUILDINGS, is read the first time and referred to the Committee on Local Government I.

**CALENDAR**

Action is taken on the following:

**H.B. 712**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hiatt, Hunter, Luebke, Pope, Redwine, and Wright - 7.

**H.B. 880**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gullely, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hiatt, Hunter, Luebke, Pope, Redwine, and Wright - 7.

**H.B. 882**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DUCK, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust,

Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Hiatt, Hunter, Luebke, Pope, Redwine, and Wright - 7.

**H.B. 57** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS; AND TO CLARIFY MEDIA LIABILITY passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

On motion of Representative Allred, the bill is withdrawn from the Calendar and placed on the Calendar of April 17.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 169** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STUDENT MEMBER OF THE BOARD OF GOVERNORS SHALL HAVE THE SAME RIGHT TO VOTE AS ALL OTHER MEMBERS, passes its second reading, by electronic vote (83-26), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 190** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, passes its second reading, by electronic vote (107-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 311** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 356** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES.

On motion of Representative Dockham, the bill is withdrawn from the Calendar and placed on the Calendar of April 17.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT FOR ADDITIONAL SERVICES BY THE STATE HIGHWAY PATROL AT EVENTS CONDUCTED BY PRIVATE ORGANIZATIONS.

Representative Culpepper inquires of the Chair if a fiscal note is attached to the bill. The Chair states that there is not.

Pursuant to Rule 36.1, Representative Culpepper requests a fiscal note on the bill. The bill is removed from the Calendar until the fiscal note is attached.

**H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, passes its second reading, by electronic vote (108-0).

Representative Shubert objects to the third reading. The bill remains on the Calendar.

### **BILL TEMPORARILY DISPLACED**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 576**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION.

On motion of the Chair, the bill is temporarily displaced.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 722**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES.

Representative Capps moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

Representative Capps withdraws his motion.

On motion of Representative Capps, the bill is withdrawn from the Calendar, by electronic vote (97-9), and re-referred to the Committee on Judiciary I.



Representative Warwick requests and is granted permission to be recorded as voting "aye". Representative Weiss requests and is granted permission to be recorded as voting "no". The adjusted vote total is (98-10).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK, passes its second reading, by electronic vote (80-27).

Representative Starnes objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 899** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW WITH REGARD TO RESISTING, OBSTRUCTING, OR DELAYING A PUBLIC OFFICER IN DISCHARGING OFFICIAL DUTIES.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (107-0).

Representative Allred objects to the third reading. The bill remains on the Calendar.

### INTRODUCTION OF PAGES

Pages for the week of April 16 are introduced to the membership. They are: Lydia Bardin of Wilson; Marquita Bell of Sampson; Crystal Blackburn of Beaufort; Mary Clare Bracey of Mecklenburg; Jason Bunch of Wake; Jessica Chong of Wayne; Ellen Crowell of Rowan; Monique Denny of Mecklenburg; Elizabeth Dougherty of Buncombe; Stephanie Joyner of Wayne; Heather Lambert of Vance; Shaquita Malloy of Robeson; Joell Marlowe of Cumberland; Byron Moore of Wake; Pete Silliman of Mecklenburg; Brooks Sterritt of Pasquotank; Matthew Tharrington of Franklin; Rachel Thomas of Cumberland; and Brandon Webster of Nash.

Honorary Page for the week is Mary Elizabeth Seals of Solomans Island, Maryland.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 658**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, seconded by Representative Edwards, the House adjourns at 8:17 p.m. to reconvene April 17 at 2:00 p.m.

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## **FORTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, April 17, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we pause before each session to invite You into our affairs, yet we confess we do not fully seek Your will as we approach the business of the day. Forgive us when our prayers become nothing more than seeking Your divine approbation for our self-made plans. Forgive us when we too hastily make our cause Your cause and thereby create You in our image. Shatter our self-made idols and lead us again to a proper perspective. Remind us that You are above our thoughts and cannot be captivated by our agendas. Rather than telling You our will, teach us to be still and seek Your will. Only then will we find the path that truly brings justice and mercy to all people. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Fitch, Pope, Setzer, and Weatherly for today. Representative Sutton is excused for a portion of the session.

### ENROLLED BILLS

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 602**, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 198**, AN ACT TO REPEAL THE MOREHEAD CITY FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (S.L. 2001-18)

**H.B. 306**, AN ACT TO REMOVE THE SUNSET ON THE LAW PROVIDING FOR THE HUNTING AND TRAPPING OF FOXES AND RACCOONS IN HYDE AND BEAUFORT COUNTIES AND ALLOWING THE USE OF SNARES WHEN TRAPPING FUR-BEARING ANIMALS IN THOSE COUNTIES. (S.L. 2001-19)

**H.B. 423**, AN ACT TO ALLOW THE CITY OF GREENSBORO TO DISCLOSE LIMITED PERSONNEL INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES AGAINST POLICE OFFICERS. (S.L. 2001-20)

**H.B. 477**, AN ACT TO REPEAL THE MARION FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (S.L. 2001-21)

**H.B. 604**, AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM. (S.L. 2001-22)

**H.B. 621**, AN ACT TO REPEAL THE CARY LOCAL FIREMEN'S SUPPLEMENTAL RETIREMENT BENEFIT FUND. (S.L. 2001-23)

**H.B. 699**, AN ACT TO PROVIDE FOR THE ELECTION OF THE CAMDEN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION ON A NONPARTISAN BASIS. (S.L. 2001-24)

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 955**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**H.B. 1067**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 701**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PERSONS WHO WERE INSTRUMENTAL IN THE DEVELOPMENT OF THE ELIZABETHAN GARDENS, A CULTURAL TREASURE IN THE STATE OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of April 18.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 374** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GRANT THE STATE BOXING COMMISSION THE AUTHORITY TO REGULATE WRESTLING AND MIXED MARTIAL ARTS EVENTS, TO AMEND THE LAWS REGULATING BOXING, AND TO ALLOW THE COMMISSION TO INCREASE CERTAIN FEES, with a favorable

report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ACTION FOR EQUITABLE DISTRIBUTION DOES NOT ABATE UPON THE DEATH OF A PARTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO APPEALS TO THE SUPERIOR COURT FROM A DISTRICT COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPELLATE PROCEDURE FOR CRIMINAL CONTEMPT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 1053**, A BILL TO BE ENTITLED AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**H.B. 1099**, A BILL TO BE ENTITLED AN ACT TO ALLOW LETTERS OF CREDIT TO SUBSTITUTE FOR SURETY BONDS TO MEET CERTAIN STATUTORY REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

By Representative Hill, Chair, for the Committee on Agriculture:

**H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION TO INCLUDE DEVELOPING A PROGRAM REGARDING THE APPROVAL OF TECHNICAL SPECIALISTS AND THE DEVELOPMENT AND APPROVAL OF CERTAIN BEST MANAGEMENT PRACTICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**S.B. 162**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Smith, Chair, for the Committee on Public Utilities:

**S.B. 217**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE, with a favorable report.

Pursuant to Rule 36(b)(2), the Chair refers the bill to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP, with a favorable report.

Pursuant to Rule 36(b)(2), the Chair refers the bill to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR

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SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA, AND MOCKSVILLE, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Local Government I.

Upon concurrence, the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

**S.B. 311**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS, is read the first time and referred to the Committee on Education.

**S.B. 532**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, is read the first time and referred to the Committee on Education.

**S.B. 544**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN INCONSISTENCY IN THE HENDERSON FIREMEN'S SUPPLEMENTAL RETIREMENT ACT, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 662**, A BILL TO BE ENTITLED AN ACT AMENDING AN ACT AUTHORIZING ORANGE COUNTY TO REGULATE OPEN BURNING, is read the first time and referred to the Committee on Judiciary I.

**S.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MUNICIPAL LAW ENFORCEMENT OFFICERS HAVE CONDITIONAL AUTHORITY TO SERVE CRIMINAL PROCESS IN THE COUNTY GOVERNMENT COMPLEX ONLY IN CARTERET COUNTY, is read the first time and referred to the Committee on Local Government I.

**S.B. 675**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND SERVICES ON A REQUEST FOR PROPOSALS BASIS, is read the first time and referred to the Committee on Local Government II.

**S.B. 749**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE NURSING HOME ADMINISTRATOR ACT, is read the first time and referred to the Committee on Health.

**S.B. 772**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS TO ESTABLISH REGULATORY STANDARDS FOR THE ADMINISTRATION AND MONITORING OF ENTERAL SEDATION FOR OUTPATIENTS IN THE DENTAL SETTING IN ADDITION TO EXISTING STANDARDS FOR GENERAL ANESTHESIA AND PARENTERAL SEDATION, is read the first time and referred to the Committee on Health.

**S.B. 898**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, is read the first time and referred to the Committee on Education.

## CALENDAR

Action is taken on the following:

**H.B. 576**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, passes its second reading, by electronic vote (67-44).

Representative Hilton objects to the third reading. The bill remains on the Calendar.

**H.R. 816** (Committee Substitute), A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF LINDSEY GUY DEWITT AND RECOGNIZING NORTH CAROLINA AS THE NASCAR STOCK CAR RACING CAPITAL OF THE WORLD.

The resolution is adopted, by electronic vote (108-0), and ordered printed.

**H.B. 712**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF

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MOREHEAD CITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Fitch, Pope, Setzer, and Weatherly - 4.

**H.B. 880**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt,

Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Fitch, Pope, Setzer, and Weatherly - 4.

**H.B. 882**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DUCK, passes its third reading, by the following vote, and is ordered sent to the Senate.

Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Fitch, Pope, Setzer, and Weatherly - 4.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 348**, A BILL TO BE ENTITLED AN ACT TO REPEAL MISCELLANEOUS FEES PAID BY INSURANCE COMPANIES TO THE DEPARTMENT OF INSURANCE; AND TO INCREASE THE

INSURANCE COMPANY LICENSE APPLICATION AND RENEWAL FEES TO MAKE THE REPEALS REVENUE NEUTRAL, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 109.

Voting in the negative: Representatives Davis and Decker - 2.

Excused absences: Representatives Fitch, Pope, Setzer, and Weatherly - 4.

**H.B. 57** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS; AND TO CLARIFY MEDIA LIABILITY.

On motion of Representative Allred and without objection, the bill is temporarily displaced.

**H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (107-2).

The bill, as amended, passes its third reading, by electronic vote (111-0), and is ordered engrossed and sent to the Senate.

**H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL

RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK, passes its third reading, by electronic vote (100-11), and is ordered sent to the Senate.

**H.B. 899** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW WITH REGARD TO RESISTING, OBSTRUCTING, OR DELAYING A PUBLIC OFFICER IN DISCHARGING OFFICIAL DUTIES.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate.

**H.B. 355** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF INSURANCE IS NOT LIABLE FOR COSTS INCURRED IN SATISFYING THE FISCAL NOTE REQUIREMENT FOR CHANGES IN THE STATE BUILDING CODE; TO UPDATE REFERENCES TO ORGANIZATIONS WHOSE STANDARDS MAY BE USED IN ADOPTING CODE PROVISIONS; AND TO GIVE THE BUILDING CODE COUNCIL EXPLICIT AUTHORITY TO USE STANDARDS OF INTERNATIONAL AGENCIES, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 356** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES, passes its second reading, by electronic vote (114-0).

Representative Kiser objects to the third reading. The bill remains on the Calendar.

**H.B. 431** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE NEED-BASED SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, TO AMEND THE APPLICATION REQUIREMENTS, AND TO ALLOW THE STATE BOARD OF

COMMUNITY COLLEGES TO TARGET A PORTION OF THE FUNDS TO STUDENTS ENROLLED IN HIGH DEMAND OCCUPATIONS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 452** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973, passes its second reading, by electronic vote (112-1). The bill remains on the Calendar.

**H.B. 453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES, passes its second reading, by electronic vote (114-0). The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 462** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AND CHARTER SCHOOL STUDENTS WHO PARTICIPATE IN UNPAID, SCHOOL-APPROVED, WORK-BASED LEARNING EXPERIENCES LOCATED OFF SCHOOL GROUNDS ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT.

On motion of Representative Owens and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

**H.B. 736** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LONG-TERM CARE FACILITIES POST INFORMATION ABOUT STAFFING LEVELS, passes its second reading, by electronic vote (96-16), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following resolution appears on today's Calendar.

**H.J.R. 758**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES CALLOWAY "C.C." ROSS, CIVIC LEADER, BUSINESS OWNER, POLITICIAN, AND EDUCATOR, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 760**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANCER INSURANCE POLICIES TO OFFER A WELLNESS BENEFIT RIDER, passes its second reading, by electronic vote (104-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATION OF ELECTIONS.

On motion of Representative Alexander, the bill is withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Finance Reform.

**H.B. 57** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS; AND TO CLARIFY MEDIA LIABILITY.

Representative Allred offers Amendment No. 1 which is adopted, by electronic vote (107-3).

The bill, as amended, passes its third reading, by electronic vote (109-0), and is ordered engrossed and sent to the Senate.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 106**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

**H.B. 608**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

**H.B. 752**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 172**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations:

**H.B. 199**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR JURY CONSULTANTS;

**H.B. 915**, A BILL TO BE ENTITLED AN ACT TO LIMIT GENERAL FUND BUDGET EXPENDITURES FOR A FISCAL YEAR TO THE AMOUNT OF GENERAL FUND REVENUE COLLECTIONS FROM THE PRIOR FISCAL YEAR; and

**H.B. 1273**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO OBTAIN PROOF OF ADDRESS ON APPLICATIONS.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 636**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ELIZABETH CITY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance:

**H.B. 877**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY; and

**H.B. 916**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION AND INDEX IT TO COST-OF-LIVING ADJUSTMENTS.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1169**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS AND THE SALE OF PROPERTY FOR CITIES AND TOWNS, is withdrawn from the Committee on Local Government I and re-referred to the Committee on Science and Technology.



On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Education and re-referred to the Committee on Appropriations:

**H.B. 988**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS;

**H.B. 990**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS; and

**H.B. 1150**, A BILL TO BE ENTITLED AN ACT TO ENSURE FAIRNESS IN THE NORTH CAROLINA STATEWIDE TESTING PROGRAM.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1170**, A BILL TO BE ENTITLED AN ACT TO DEVELOP A CHIROPRACTIC TREATMENT PROTOCOL FOR THE TREATMENT OF INJURIES RESULTING FROM AUTOMOBILE ACCIDENTS, is withdrawn from the Committee on Insurance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Culpepper moves, seconded by Representative Buchanan, that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 18 at 2:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 504**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF MATTHEWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 18. The original bill is placed on the Unfavorable Calendar.

**H.B. 661**, A BILL TO BE ENTITLED AN ACT AUTHORIZING GASTON COUNTY TO INCREASE THE SIZE OF ITS BOARD OF SOCIAL SERVICES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

**H.B. 715**, A BILL TO BE ENTITLED AN ACT TO DISTRIBUTE THE PROCEEDS OF THE MECKLENBURG PREPARED FOOD TAX AMONG ALL MECKLENBURG COUNTY MUNICIPALITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 18.

The House stands adjourned at 4:46 p.m.

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## FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, April 18, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of Grace, You are ever faithful. When we stray, You call us back. When we fall, You pick us up. When we fail, You forgive us. Throughout history, Your disposition toward us has been that of healing, restoration, and renewal. Despite this unbounded grace offered to us, we do not always share the same benevolence towards others. Come now, O God, and search our hearts and purify our motives. Purge from our lips words that are intended to wound. Remove from us our actions designed to dishonor others. Eliminate from our minds harsh evaluations of those who disagree with us. Teach us to live and act with the same charity that You

bestow upon us that we might be worthy of our calling to be children of God. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Fitch, Pope, Setzer, and Weatherly for today. Representatives Daughtry and McComas are excused for a portion of the session.

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 602**, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF TRINITY AND TO ADD THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE, (S.L. 2001-25)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Tolson and Saunders, Chairs, for the Committee on Science and Technology:

**H.B. 1169**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS AND THE SALE OF PROPERTY FOR CITIES AND TOWNS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Hensley and Womble, Chairs, for the Committee on State Personnel:

**H.B. 1182**, A BILL TO BE ENTITLED AN ACT PROVIDING NONLICENSED EMPLOYEES OF LOCAL SCHOOL BOARDS WITH COVERAGE UNDER THE STATE PERSONNEL ACT THAT IS SIMILAR

TO THE COVERAGE OF OTHER LOCAL EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 609**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE AMENDMENTS TO THE ADMINISTRATIVE RULE ENTITLED "STANDARDS OF CONSTRUCTION: WATER-SUPPLY WELLS" ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 1043**, A BILL TO BE ENTITLED AN ACT TO PROVIDE WILDLIFE PROTECTORS WITH AUTHORITY TO ENFORCE THE LAWS AGAINST TRESPASSING UPON POSTED PROPERTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 248**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE STUDY COMMISSION ON CHILDREN WITH SPECIAL NEEDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 898**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STATE EMPLOYEE FEDERAL REMEDY RESTORATION ACT, with a

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favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1083**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1094**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN ERROR MADE IN 1999 IN THE TERM OF OFFICE OF A NEW SUPERIOR COURT JUDGESHIP IN SUPERIOR COURT DISTRICT 22, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Hunter and Boyd-McIntyre, Chairs, for the Committee on Children, Youth and Families:

**H.B. 375**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 554**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF THE ARMED FORCES OF THE UNITED STATES, with a favorable report as to committee substitute bill,

unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 897**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 905**, A BILL TO BE ENTITLED AN ACT TO INCLUDE LAW ENFORCEMENT EQUIPMENT IN THE CATEGORY OF FELONY LARCENY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 235**, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 19.

**H.B. 1061**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN PUBLIC WATER SYSTEMS THAT RESELL WATER FROM

THE NORTH CAROLINA DRINKING WATER ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**H.B. 803**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE SAVINGS INSTITUTION DIVISION TO THE STATE BANKING COMMISSION; TO AUTHORIZE ADDITIONAL DEPUTY COMMISSIONERS; TO MERGE THE SAVINGS INSTITUTIONS COMMISSION WITH THE STATE BANKING COMMISSION; TO REQUIRE THE COMMISSIONER TO REPORT TO THE GENERAL ASSEMBLY; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

**H.B. 1113**, A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF CONSUMER FINANCIAL INFORMATION TO THIRD PERSONS AND TO PROVIDE FOR EDUCATION OF THE PUBLIC ON THOSE LIMITATIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 806**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN LICENSED HEATING CONTRACTORS TO INSTALL AIR CONDITIONING SYSTEMS IF NO INDIVIDUAL UNIT IN THE SYSTEM EXCEEDS FIFTEEN TONS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 172**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CARTERET, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

**H.B. 935**, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 19.

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 443**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NORTH CAROLINA COMMUNITY COLLEGES INSTRUCTIONAL TRUST FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 618**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MUNICIPALITIES WITH ADDITIONAL AUTHORITY TO REGULATE AND CONTROL DRIVERS AND OPERATORS OF TAXICABS OPERATING BETWEEN CITIES OR TOWNS AND TO THE PIEDMONT TRIAD INTERNATIONAL AIRPORT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 19.

**H.B. 856**, A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY TO ENTER INTO SEPARATE-PRIME CONTRACTS OR A SINGLE-PRIME CONTRACT IN THE RENOVATION OF THE



FORMER A&P SHOPPING CENTER IN MOREHEAD CITY FOR THE CARTERET COUNTY HEALTH AND HUMAN SERVICES BUILDING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 19.

**H.B. 906**, A BILL TO BE ENTITLED AN ACT MAKING A TECHNICAL CORRECTION TO THE SECTION OF THE CHARTER OF THE CITY OF DURHAM THAT PROVIDES EXEMPTIONS FROM THE CITY'S FAIR HOUSING ORDINANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 19.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representative Hunter:

**H.B. 1357**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC., is referred to the Committee on Appropriations.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 157** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE DIETETICS/NUTRITION PRACTICE ACT AND TO AUTHORIZE THE BOARD OF DIETETICS/NUTRITION TO INCREASE FEES, is read the first time and referred to the Committee on Finance.

**S.B. 158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MONROE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is read the first time and referred to the Committee on Pensions and Retirement.

**S.B. 304** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE BOARD OF TRUSTEES OF A COMMUNITY

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COLLEGE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 396** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES, is read the first time and referred to the Committee on Finance.

**S.B. 678** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESIDENCE DISTRICTS FOR THE GATES COUNTY BOARD OF EDUCATION AND THE GATES COUNTY BOARD OF COMMISSIONERS, is read the first time and referred to the Committee on Local Government II.

**S.B. 811** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PARENTS OR GUARDIANS OF STUDENTS WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL RECEIVE NOTICE THAT IS EASY TO UNDERSTAND, is read the first time and referred to the Committee on Education.

**S.B. 881** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AGREEMENTS, ORDERS, AND FINAL AWARDS UNDER THE WORKERS' COMPENSATION ACT MAY BE ENTERED AS JUDGMENTS BY THE CLERK OF SUPERIOR COURT IN THE COUNTY IN WHICH THE INJURY OCCURRED, is read the first time and referred to the Committee on Judiciary II.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 374** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO GRANT THE STATE BOXING COMMISSION THE AUTHORITY TO REGULATE WRESTLING AND MIXED MARTIAL ARTS EVENTS, TO AMEND THE LAWS REGULATING BOXING, AND TO ALLOW THE COMMISSION TO INCREASE CERTAIN FEES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

### **CALENDAR**

Action is taken on the following:

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**H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MATTHEWS TO LEASE THE 1874 MATTHEWS DEPOT FOR A TERM OF MORE THAN TEN YEARS, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 661**, A BILL TO BE ENTITLED AN ACT AUTHORIZING GASTON COUNTY TO INCREASE THE SIZE OF ITS BOARD OF SOCIAL SERVICES, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 715**, A BILL TO BE ENTITLED AN ACT TO DISTRIBUTE THE PROCEEDS OF THE MECKLENBURG PREPARED FOOD TAX AMONG ALL MECKLENBURG COUNTY MUNICIPALITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 348**, A BILL TO BE ENTITLED AN ACT TO REPEAL MISCELLANEOUS FEES PAID BY INSURANCE COMPANIES TO THE DEPARTMENT OF INSURANCE; AND TO INCREASE THE INSURANCE COMPANY LICENSE APPLICATION AND RENEWAL FEES TO MAKE THE REPEALS REVENUE NEUTRAL, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague,

Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, and Wright - 109.

Voting in the negative: Representative Carpenter.

Excused absences: Representatives Daughtry, Fitch, McComas, Pope, Setzer, and Weatherly - 6.

Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (108-2).

**H.B. 356** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES, passes its third reading, by electronic vote (110-1), and is ordered sent to the Senate.

**H.B. 452** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its third reading, by electronic vote (111-0), and is ordered engrossed and sent to the Senate.

**H.B. 453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (109-0), and is ordered engrossed and sent to the Senate.

**H.B. 576**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CIVIL ACTIONS OF ALIENATION OF AFFECTION AND CRIMINAL CONVERSATION, passes its third reading, by electronic vote (63-46), and is ordered sent to the Senate.

Representative Teague requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (64-45).

**H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, passes its second reading, by electronic vote (82-29).

Representative Decker objects to the third reading. The bill remains on the Calendar.

**H.B. 608** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.J.R. 701**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PERSONS WHO WERE INSTRUMENTAL IN THE DEVELOPMENT OF THE ELIZABETHAN GARDENS, A CULTURAL TREASURE IN THE STATE OF NORTH CAROLINA, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

Representative Decker requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 752** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 955**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1002**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF A HOSPITAL AUTHORITY BOARD ARE A PUBLIC BODY AND HAVE THE RIGHT TO SUE AND BE SUED, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1053**, A BILL TO BE ENTITLED AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1067** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ACTION FOR EQUITABLE DISTRIBUTION DOES NOT ABATE UPON THE DEATH OF A PARTY, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hackney and without objection, **H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO

APPEALS TO THE SUPERIOR COURT FROM A DISTRICT COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION and **H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPELLATE PROCEDURE FOR CRIMINAL CONTEMPT, are withdrawn from the Calendar and placed on the Calendar of April 19.

### **CALENDAR (continued)**

**H.B. 1099**, A BILL TO BE ENTITLED AN ACT TO ALLOW LETTERS OF CREDIT TO SUBSTITUTE FOR SURETY BONDS TO MEET CERTAIN STATUTORY REQUIREMENTS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION TO INCLUDE DEVELOPING A PROGRAM REGARDING THE APPROVAL OF TECHNICAL SPECIALISTS AND THE DEVELOPMENT AND APPROVAL OF CERTAIN BEST MANAGEMENT PRACTICES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Decker withdraws his objection to the third reading of **H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION.

Representative Grady objects to the third reading. The bill remains on the Calendar.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 7**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS I FELONIES AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 567**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 902**, A BILL TO BE ENTITLED AN ACT TO ADD AN APPOINTEE OF THE INDIGENT DEFENSE SERVICES COMMISSION TO THE STATE JUDICIAL COUNCIL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 953**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A FELONY TO POSSESS, PASS, OR UTTER COUNTERFEIT UNITED STATES CURRENCY WITH THE INTENT TO DEFRAUD ANOTHER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:



**H.B. 980**, A BILL TO BE ENTITLED AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 919**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF DEER WITH DOGS IN DURHAM COUNTY, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 643**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH SEXUAL ASSAULT COUNSELORS, RAPE CRISIS CENTERS, AND DOMESTIC VIOLENCE PROGRAMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 405**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE REGARDING THE STATE TESTING AND STUDENT ACCOUNTABILITY PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 979**, A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ISSUE SPECIAL HIGH SCHOOL

DIPLOMAS TO VETERANS OF WORLD WAR II WHO HAVE NOT PREVIOUSLY RECEIVED DIPLOMAS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRALS**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Universities:

**H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL FIX THE RATE OF TUITION FOR THE STATE'S UNIVERSITY SYSTEM;

**H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL NOT OFFER REMEDIAL EDUCATION PROGRAMS; and

**H.B. 1279**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE RESIDENCY REQUIREMENT TO QUALIFY FOR IN-STATE TUITION FROM ONE YEAR TO THREE YEARS.

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer **H.B. 1207**, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL BOARD OF EDUCATION TO APPLY FOR CHARTER STATUS FOR ONE OR MORE OF ITS PUBLIC SCHOOLS, to the Education Subcommittee on Pre-School, Elementary and Secondary Education.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS PROTECT THE RIGHTS OF STUDENTS AND THEIR FAMILIES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

## REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 16**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A DRIVER SHALL MOVE TO THE LEFT LANE WHEN PASSING A VEHICLE STOPPED ON THE RIGHT SHOULDER OF THE ROADWAY BY A LAW ENFORCEMENT OFFICER, is withdrawn from the Committee on Judiciary III and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA, AND MOCKSVILLE, is withdrawn from the Committee on Local Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Wildlife Resources:

**H.B. 402**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BERTIE; and

**H.B. 875**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 449**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government II:

**H.B. 886**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT; and

**H.B. 887**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESIDENCY QUALIFICATIONS OF AN INCUMBENT MEMBER OF THE GENERAL ASSEMBLY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Election Law and Campaign Finance Reform.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1257**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO AUTHORIZE THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO DELEGATE TO THE DIVISION OF FOREST RESOURCES CERTAIN RESPONSIBILITIES RELATED TO THE IDENTIFICATION OF STREAMS IN ORDER TO

IMPLEMENT THE STREAM BUFFER RULES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources.

Representative Culpepper moves, seconded by Representative Fox that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 19 at 2:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 1045**, A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 19. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 321**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 35TH HOUSE DISTRICT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 910**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF CARY TO PROHIBIT THE CLEAR CUTTING OF TREES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 4:25 p.m.

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## FIFTIETH DAY

HOUSE OF REPRESENTATIVES  
Thursday, April 19, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, we assemble here today, conscious of the privilege of leadership. We come in honor, having been elected or appointed over others for this position. We come in humility as well, knowing that our decisions affect the lives of millions. Such pressures command our commitment and demand our concentration. And yet, we have not ceased to be human ourselves. Beside carrying the burden of the future of our State, we bear the difficulties and complexities of living in an imperfect world. Thus, we humbly ask for Your guidance in our public duty. We pray as well for those in our midst who are ill, those who grieve, those who are struggling in the midst of broken relationships, and for those who face uncertain futures. May Your divine care come to us in both our public and private lives, that we might be whole in our quest to help others in their pursuit of wholeness. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hill, Howard, Johnson, Setzer, and Weatherly for today. Representative Allred is excused for a portion of the session.

### **ENROLLED BILLS**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 701**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PERSONS WHO WERE INSTRUMENTAL IN THE DEVELOPMENT OF THE ELIZABETHAN GARDENS, A CULTURAL TREASURE IN THE STATE OF NORTH CAROLINA. (RESOLUTION 2001-9)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 307**, A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 968**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE

DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1119**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT AND AUTHORIZING THE STATE BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS TO ACQUIRE REAL PROPERTY, TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, AND TO INCREASE THE CIVIL PENALTY FROM TWO THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS FOR VIOLATIONS OF THE ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1269**, A BILL TO BE ENTITLED AN ACT REGARDING AIRPORT FEES AND CHARGE FOR RENTAL CARS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representative Insko, Chair, for the Permanent Subcommittee on Universities of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE JURISDICTION AND AUTHORITY OF UNIVERSITY OF NORTH CAROLINA CAMPUS LAW ENFORCEMENT AGENCIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representative Insko, Chair, for the Permanent Subcommittee on Universities:



**H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL FIX THE RATE OF TUITION FOR THE STATE'S UNIVERSITY SYSTEM, reported to the Standing Committee on Education, with an unfavorable recommendation.

**H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL NOT OFFER REMEDIAL EDUCATION PROGRAMS, reported to the Standing Committee on Education, with a favorable recommendation.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 27**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**H.B. 79**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TWENTY-FIVE-YEAR RETIREMENT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

**H.B. 943**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISCONTINUED MEMBERSHIP SERVICE ALLOWANCES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1017**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION FOR MEMBERS OF THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**H.B. 1107**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON SICK LEAVE CREDITABLE TO RETIREMENT FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 13**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM ENCOURAGING INSURANCE CLAIMANTS TO OBTAIN MOTOR VEHICLE REPAIR SERVICES FROM PARTICULAR SOURCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 1285**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TREASURER AND THE NORTH CAROLINA HOUSING

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FINANCE AGENCY TO DEVELOP PILOT PROGRAMS TO PROVIDE NEW TEACHERS WITH MORTGAGE ASSISTANCE TO ENCOURAGE THEM TO STAY IN THE CLASSROOM FOR A PERIOD OF AT LEAST THREE YEARS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 1276**, A BILL TO BE ENTITLED AN ACT TO CLOSE THE LEGAL LOOPHOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS AND TO EQUALIZE PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**H.B. 1098**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING CERTAIN TYPES OF DEPOSIT ACCOUNTS IN NORTH CAROLINA TO MAKE THEM MORE UNDERSTANDABLE TO CONSUMERS AND TO MAKE THEM MORE FLEXIBLE IN MEETING CONSUMER PREFERENCES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representative Hill, Chair, for the Committee on Agriculture:

**H.B. 218**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL CROPS AND PLANTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

**H.B. 769**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AGRICULTURAL FAIRS ADVISORY COUNCIL AND TO APPROPRIATE FUNDS FOR GRANTS FOR LOCAL AGRICULTURAL FAIRS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1341**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representatives Hensley and Womble, Chairs, for the Committee on State Personnel:

**H.B. 441**, A BILL TO BE ENTITLED AN ACT AMENDING THE PROVISIONS OF THE STATE EMPLOYEES INCENTIVE BONUS PROGRAM, ARTICLE 36A OF CHAPTER 143 OF THE GENERAL STATUTES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AUTHORITIES ARE ELIGIBLE FOR GRANTS FROM THE PARKS AND RECREATION TRUST FUND, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 440** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 23. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**S.B. 25** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 623**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE ALTERNATIVE

CONTRACTING METHODS FOR PUBLIC CONTRACTS BY A MAJORITY VOTE OF ITS MEMBERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1060**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENVIRONMENTAL REMEDIATION AND RESTORATION ACTIVITIES ARE NOT STATE CAPITAL IMPROVEMENT PROJECTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1295**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT STATE EMPLOYEES EARNING LESS THAN TWENTY THOUSAND DOLLARS PER YEAR SHALL BE PAID ONCE EVERY TWO WEEKS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Cole and Morris, Chairs, for the Committee on Economic Growth and Community Development:

**H.B. 1090**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE PRESIDENT OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER SHALL SERVE AS AN EX OFFICIO MEMBER OF THE RURAL INTERNET ACCESS AUTHORITY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 1118**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSE OF FRAUD AGAINST FINANCIAL INSTITUTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF DRUGS IN PUBLIC PARKS AND PLAYGROUNDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 509**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STOCKING OF ANIMALS BY CERTAIN PERSONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 1019**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEPTAGE MANAGEMENT PROGRAM AND TO AUTHORIZE CERTAIN PERMIT FEES UNDER THAT PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 1158**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CORRUGATED CARDBOARD, CLEAN WOOD WASTE, AND WOODEN PALLETS IN LANDFILLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 616**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF ATLANTIC BEACH, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 819**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 573**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR NOTARIZATION OF CAMPAIGN REPORTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 23. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 904**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR MISDEMEANOR CHILD ABUSE TO A CLASS A1 MISDEMEANOR SO THAT IT IS THE SAME AS THE PENALTY FOR ASSAULT ON AN ADULT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

**H.B. 1247**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SECOND OR SUBSEQUENT CONVICTION OF A SEX OFFENSE COMMITTED AGAINST A MINOR SHALL BE ADDED TO THE LIST OF AGGRAVATING FACTORS TO BE CONSIDERED BY THE COURT WHEN IMPOSING A SENTENCE FOR A CRIMINAL OFFENSE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.



**H.B. 1286**, A BILL TO BE ENTITLED AN ACT REPEALING THE REQUIREMENT OF THE CONFERENCE OF DISTRICT ATTORNEYS TO MAINTAIN A REPOSITORY RELATING TO VICTIMS' INFORMATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 23.

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

The following are introduced, read the first time and referred to committee:

By Representatives Alexander and Luebke:

**H.B. 1358**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EARLY INTERVENTION SERVICES AND ACTIVITIES, is referred to the Committee on Appropriations.

By Representatives Alexander and Hensley (Primary Sponsors); and Luebke:

**H.B. 1359**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COURTHOUSE CHILD CARE CENTERS, is referred to the Committee on Appropriations.

By Representatives Warner, Lucas, Hurley, and Davis (Primary Sponsors); Cox, McComas, Morris, and Wright:

**H.B. 1360**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DATA COLLECTION, RESEARCH, INFORMATION MANAGEMENT, AND PUBLIC EDUCATION REGARDING THE CAPE FEAR RIVER BASIN, is referred to the Committee on Appropriations.

### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**S.B. 14** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 15 AND ARTICLE 16 OF CHAPTER 163, AS RECOMMENDED BY THE ELECTION LAWS REVISION COMMISSION, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 91**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF ADDITIONAL DEALER PLATES TO BUSINESSES ENGAGED IN THE ALTERATION AND SALE OF SPECIALTY VEHICLES, is read the first time and referred to the Committee on Transportation.

**S.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 573**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT NONRESIDENTS MAY PARTICIPATE IN THE PARENTAL SAVINGS TRUST FUND, is read the first time and referred to the Committee on Education.

**S.B. 617** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, is read the first time and referred to the Committee on Local Government II.

**S.B. 681** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 719** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY, is read the first time and referred to the Committee on Transportation.

**S.B. 879** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE SOME BUDGET FLEXIBILITY TO THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS, is read the first time and referred to the Committee on Education.

**S.B. 936** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN

ELIGIBILITY FOR BYRNE GRANT FUNDING, is read the first time and referred to the Committee on Judiciary I.

### CALENDAR

Action is taken on the following:

**H.B. 172** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CEDAR POINT AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 856**, A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY TO ENTER INTO SEPARATE-PRIME CONTRACTS OR A SINGLE-PRIME CONTRACT IN THE RENOVATION OF THE FORMER A&P SHOPPING CENTER IN MOREHEAD CITY FOR THE CARTERET COUNTY HEALTH AND HUMAN SERVICES BUILDING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 906**, A BILL TO BE ENTITLED AN ACT MAKING A TECHNICAL CORRECTION TO THE SECTION OF THE CHARTER OF THE CITY OF DURHAM THAT PROVIDES EXEMPTIONS FROM THE CITY'S FAIR HOUSING ORDINANCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 935**, A BILL TO BE ENTITLED AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 618**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MUNICIPALITIES WITH ADDITIONAL AUTHORITY TO REGULATE AND CONTROL DRIVERS AND OPERATORS OF TAXICABS OPERATING BETWEEN CITIES OR TOWNS AND TO THE PIEDMONT

TRIAD INTERNATIONAL AIRPORT, passes its second reading, by electronic vote (90-20).

Representative Warwick requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (91-20).

Representative Decker objects to the third reading. The bill remains on the Calendar.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Goodwin, **H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, is withdrawn from the Calendar and placed on the Calendar of April 24.

#### **CALENDAR (continued)**

**H.B. 235**, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper, **H.B. 248** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE STUDY COMMISSION ON CHILDREN WITH SPECIAL NEEDS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

#### **CALENDAR (continued)**

**H.B. 375** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 723** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 803** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO TRANSFER THE SAVINGS INSTITUTIONS DIVISION TO THE STATE BANKING COMMISSIONER; TO AUTHORIZE ADDITIONAL DEPUTY COMMISSIONERS; TO MERGE THE SAVINGS INSTITUTIONS COMMISSION WITH THE STATE BANKING COMMISSION; TO REQUIRE THE COMMISSIONER TO REPORT TO THE GENERAL ASSEMBLY; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTE, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

Representative Capps requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 897** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INCORPORATED, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 905** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE LAW ENFORCEMENT EQUIPMENT IN THE CATEGORY OF FELONY LARCENY.

On motion of the Chair, and without objection, the bill is temporarily displaced.

**H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO APPEALS TO THE SUPERIOR COURT FROM A DISTRICT

COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION, fails to pass its second reading, by electronic vote (44-65).

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hackney and without objection, **H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPELLATE PROCEDURE FOR CRIMINAL CONTEMPT, is withdrawn from the Calendar and placed on the Calendar of April 23.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

### **CALENDAR (continued)**

**H.B. 1045** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, passes its second reading, by electronic vote (103-1).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 434**, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 460**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A MEMORIAL MARKER PROGRAM FOR PERSONS KILLED AS A RESULT OF ACCIDENTS INVOLVING IMPAIRED DRIVING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**H.B. 275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 1001**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A PRIMARY CARE HOSPITAL TO REFLECT FEDERAL REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 1238**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE PRESCRIPTION DRUG COVERAGE

FOR ELDERLY AND DISABLED PERSONS NOT OTHERWISE ELIGIBLE FOR MEDICAID, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 123**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE ARSON, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 658**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ROCKY MOUNT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 884**, A BILL TO BE ENTITLED AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE AND TO AMEND THE LAW PROVIDING COMPENSATION TO THE PERSON FOR A WRONGFUL CONVICTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 983**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OWNERS OF LAND ASSOCIATED WITH WATERSHED IMPROVEMENT PROJECTS HAVE LIMITED LIABILITY WITH REGARD TO CERTAIN MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, with a favorable report.



Pursuant to Rule 36(b), the bill is placed on the Calendar.

### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I:

**H.B. 744**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE; and

**H.B. 817**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RICHMOND AND THE MUNICIPALITIES LOCATED IN THAT COUNTY.

On motion of Representative Culpepper, seconded by Representative Fitch, the House adjourns at 4:19 p.m. to reconvene Monday, April 23, 2001, at 6:00 p.m.

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## **FIFTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Monday, April 23, 2001

The House meets at 6:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, unsearchable is Your wisdom and mysterious are Your ways. We confess, that we would prefer to domesticate You. But Your Spirit pressures our conscience and we sense what is good and honorable. We perceive Your divine direction and we feel compelled to speak on Your behalf. Yet, expediency dictates do that which is easy. Pressure from our peers calls us simply to go along with everyone else. O God, strengthen our character that our ideals may be stronger than the idols of accommodation and acclamation. Empower our will to seek after that which is true and not simply that which is comfortable. Give us grace to hear and heed Your call, to listen to and live up to Your principles. Amen."

April 23, 2001

The Speaker Pro Tempore leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Ellis and Hiatt for today.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 740**, AN ACT AUTHORIZING THE LEGISLATIVE SERVICES COMMISSION TO OPERATE THE SNACK BAR IN THE LEGISLATIVE OFFICE BUILDING.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 290**, AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND.

**H.B. 656**, AN ACT TO ALLOW JOHNNY S. MYERS TO CONVEY CERTAIN PROPERTY TO THE COUNTY OF YADKIN.

**H.B. 702**, AN ACT TO AUTHORIZE TYRRELL COUNTY TO DISPOSE OF WETLANDS MITIGATION BANKING CREDITS.

**H.B. 768**, AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE TRAFFIC STATUTES AND TO MAKE THE VIOLATION PROVISION OF THE ACT CONSISTENT WITH STRUCTURED SENTENCING.

**H.B. 777**, AN ACT TO REPEAL THE GASTONIA FIREMEN'S SUPPLEMENTARY PENSION FUND.

**H.B. 885**, AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND ENVIRONMENTAL EDUCATION FACILITIES.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 45**, AN ACT TO CLARIFY AND STRENGTHEN THE LAW PERTAINING TO PERSONS WHO INTERFERE WITH THE OPERATION OF PUBLIC SCHOOL BUSES. (S.L. 2001-26)

**S.B. 118**, AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO REQUIRE ANY PERSON TREATING A PATIENT BY USE OF THE INTERNET OR A TOLL-FREE TELEPHONE NUMBER TO OBTAIN A LICENSE IN THIS STATE AND TO PERMIT THE MEDICAL BOARD TO BRING AN ACTION FOR INJUNCTIVE RELIEF AGAINST NONRESIDENTS IN THE DISTRICT WHERE THE BOARD RESIDES. (S.L. 2001-27)

**H.B. 286**, AN ACT TO CLARIFY THE APPLICABILITY OF DISEASE REPORTING AND INVESTIGATION REQUIREMENTS TO ALL DIAGNOSTIC LABORATORIES. (S.L. 2001-28)

**H.B. 18**, AN ACT TO ALLOW COUNTIES ADVERSELY AFFECTED BY THE FLOODS ACCOMPANYING HURRICANE FLOYD TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE. (S.L. 2001-29)

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittee are presented:

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATION OF ELECTIONS, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 24. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 912**, A BILL TO BE ENTITLED AN ACT GRANTING TO THE CARY TOWN COUNCIL AUTHORITY TO REQUIRE DISCLOSURE OF THE NAMES OF CONTRIBUTORS TO TOWN ELECTION CAMPAIGNS, AND TO LIMIT THE AMOUNTS OF SUCH CONTRIBUTIONS, AS HAS PREVIOUSLY BEEN GRANTED TO OTHER MUNICIPALITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

**H.B. 977**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 1041**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1046**, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ACCURACY AND UNDERSTANDABILITY OF PRECINCT DATA, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

**H.B. 1126**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESIDENCY QUALIFICATIONS OF AN INCUMBENT MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

**H.B. 1186**, A BILL TO BE ENTITLED AN ACT TO ALLOW CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REGISTER TO VOTE BY FAX, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 599** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, reported without prejudice as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 24. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 1342**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TIME LIMITS FOR NOTIFICATION OF LEASED VEHICLE PARKING VIOLATIONS AND THE APPLICABILITY OF THE PRIMA FACIE RULE OF EVIDENCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Gibson, Chair, for the Committee on Alcoholic Beverage Control:

**H.B. 948**, A BILL TO BE ENTITLED AN ACT TO REDEFINE "SPECIAL ABC AREA", with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 774**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOW DRIVERS SHALL OPERATE THEIR MOTOR VEHICLES WHEN PASSING PARKED EMERGENCY VEHICLES THAT HAVE THEIR EMERGENCY LIGHTS ILLUMINATED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**H.B. 1068**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPLORE METHODS TO IMPROVE AND REWARD QUALITY OF CARE PROVIDED BY LONG-TERM CARE FACILITIES; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1147**, A BILL TO BE ENTITLED AN ACT TO PERMIT A HOSPITAL TO TEMPORARILY INCREASE ITS BED CAPACITY AFTER NOTIFYING THE DIVISION OF FACILITY SERVICES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Nesbitt, Vice Chair, for the Committee on Judiciary I:

**H.B. 320**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE STORAGE OF FIREARMS TO PROTECT MINORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 514**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITHHOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE RECORDINGS OF ALL CLOSED MEETINGS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 377**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 351**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND SUBSTANTIVE CHANGES IN THE LAW GOVERNING MANAGED CARE UTILIZATION REVIEW AND GRIEVANCE PROCEDURES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

**H.B. 1048**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL NOT MANDATE ADDITIONAL COVERAGE BEYOND WHAT IS REQUIRED AS OF DECEMBER 31, 2001, WITH CERTAIN EXCEPTIONS; AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF HEALTH INSURANCE MANDATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 522**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF CUMBERLAND, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Insko for the Permanent Subcommittee on Universities of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 1004**, A BILL TO BE ENTITLED AN ACT TO ADD ANSON COUNTY TO THE MODEL TEACHER EDUCATION CONSORTIUM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 24. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 1230**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTROLLED SUBSTANCE ANALOGUE, IF INTENDED FOR HUMAN



CONSUMPTION, SHALL BE TREATED AS A SCHEDULE I CONTROLLED SUBSTANCE FOR THE PURPOSES OF ANY STATE LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 1192**, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE POLL CLOSING TIMES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

**H.B. 1195**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 24.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Smith, McLawhorn, Warren, and Grady (Primary Sponsors); Allen, Allred, Arnold, Baddour, Barefoot, Bell, Blue, Bonner, Buchanan, Church, Cole, Cox, J. Crawford, Creech, Culpepper, Dedmon, Edwards, Fox, Goodwin, Gulley, Haire, Hall, Jarrell, Jeffus, Justus, McAllister, Michaux, Miller, Mitchell, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Sutton, Tolson, Tucker, Underhill, Wainwright, Warner, Warwick, Wright, and Yongue:

**H.B. 1361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE SIGN DESIGNATING THE NORTH CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION, is referred to the Committee on Alcoholic Beverage Control and, if favorable, to the Committee on Appropriations.

By Representatives Fox, Alexander, Barbee, Barefoot, Brubaker, Church, Cole, Culp, Dedmon, Esposito, Haire, Hunter, McLawhorn,

Michaux, Oldham, Owens, Preston, Rogers, Saunders, Smith, Teague, Tolson, and G. Wilson:

**H.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CENTRAL REGISTRY FOR ADVANCE HEALTH CARE DIRECTIVES, is referred to the Committee on Health and, if favorable, to the Committee on Finance.

By Representative Mitchell:

**H.J.R. 1363**, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DECOMMISSIONING OF THE GLOBAL TRANSPARK AUTHORITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Haire, Nesbitt, and Sherrill (Primary Sponsors); and M. Crawford:

**H.B. 1364**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO CONSTRUCT AN EXPANSION OF THE SMALL DEALERS BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET, is referred to the Committee on Appropriations.

By Representative Baddour:

**H.B. 1365**, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS OF THE CHECK CASHER ACT RELATING TO POST-DATED OR DELAYED DEPOSIT CHECKS AND TO REMOVE THE SUNSET FROM THAT PROVISION, is referred to the Committee on Financial Institutions and, if favorable, to the Committee on Finance.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN LAWS RELATING TO THE CERTIFICATION OF WELL CONTRACTORS AND TO INCREASE THE MAXIMUM CIVIL PENALTY THAT MAY BE ASSESSED FOR VIOLATIONS OF THE WELL CONTRACTORS CERTIFICATION ACT OR THE WELL CONSTRUCTION ACT, is read the first time and referred to the Committee on Ways and Means.

**S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS, is read the first time and referred to the Committee on Ways and Means.

**S.B. 402**, A BILL TO BE ENTITLED AN ACT REPEALING THE SUNSET PROVISION RELATING TO THE REDEFINITION OF THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS AND THE ONE AND ONE-HALF TIMES TEST, is read the first time and referred to the Committee on Judiciary I.

**S.B. 441**, A BILL TO BE ENTITLED AN ACT TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AN APPOINTEE OF THE GOVERNOR AND TO MAKE CORRESPONDING STATUTORY CHANGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 459** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTERMEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES; AND TO ALLOW NORTH CAROLINA DOMESTIC INSURANCE COMPANIES TO FORM PROTECTED CELLS TO ACCESS ALTERNATIVE SOURCES OF CAPITAL AND ACHIEVE THE BENEFITS OF SECURITIZATION, is read the first time and referred to the Committee on Insurance.

**S.B. 666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON, is read the first time and referred to the Committee on Local Government I.

**S.B. 712**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 718** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SUPREME COURT WITH AUTHORITY TO REVISE THE RULES OF CIVIL PROCEDURE AND THE RULES OF EVIDENCE, SUBJECT TO AMENDMENT OR VETO BY THE GENERAL ASSEMBLY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 746** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 785**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM CONTINUING LEGAL EDUCATION REQUIREMENTS ATTORNEYS SERVING ON THE GOVERNING BODY OF A MUNICIPALITY OR COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 819**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON WHO PLEADS GUILTY OR NO CONTEST TO A CLASS H OR I FELONY IN DISTRICT COURT AND RECEIVES A PROBATIONARY SENTENCE WILL HAVE ANY RESULTING PROBATION VIOLATION HEARING HELD IN DISTRICT COURT, AND THAT AN APPEAL FROM A SUBSEQUENT PROBATION REVOCATION WILL BE HEARD IN THE COURT OF APPEALS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.J.R. 853**, A JOINT RESOLUTION ACCEPTING PROPERTIES OWNED BY THE STATE OF NORTH CAROLINA FOR INCLUSION IN THE STATE NATURE AND HISTORIC PRESERVE, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 854**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; AND TO DELETE CERTAIN LANDS

FROM THE STATE PARKS SYSTEM, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 882**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT, is read the first time and referred to the Committee on Agriculture.

**S.B. 910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR, is read the first time and referred to the Committee on Judiciary I.

**S.B. 1004**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL PENALTY FOR THAT OFFENSE, is read the first time and referred to the Committee on Judiciary I.

### INTRODUCTION OF PAGES

Pages for the week of April 23 are introduced to the membership. They are: Candace Baldwin of Cumberland; Joni Decker of Burke; Benita Edgerton of Franklin; Lionel Groves of Wake; Melisa James of Pitt; Catherine Koontz of Davidson; Drew McCall of Cumberland; Reginald McCall of Robeson; Mark Melanson of Swain; Joshua Nealy of Iredell; Joshua Paris of Burke; Abigail Rakes of Moore; Kevin Randall of Wake; Christopher Shepard of Duplin; and Daniel Tuck of Alamance.

Receiving Special Recognition from the Tarheel ChalleNGe Academy are: Elizabeth Brock of Davie; Albert Cascasan of Cumberland; Matthew Dowdy of Wake; Charles Edwards of Cumberland; and Larry Taylor of Cumberland.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

On motion of the Chair, and without objection, **H.B. 321** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF SALISBURY, is moved up on today's Calendar.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Ellis, Hiatt, and Hunter - 3.

Representative Warwick requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

### **MOTION TO WITHDRAW BILL FROM CALENDAR**

Representative Weiss moves that **H.B. 910** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY, GARNER, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, be withdrawn from the Calendar and placed on the Calendar of April 24.

Representative Weiss withdraws her motion.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Capps and without objection, **H.B. 567** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUNICIPALITIES OF WAKE COUNTY, EXCEPT FOR THE TOWN OF CARY, TO USE RED LIGHT CAMERAS FOR

SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, is withdrawn from the Calendar and placed on the Calendar of April 24.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR COLLECTION IN WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS I FELONIES AND CLASS 1 MISDEMEANORS AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL CHANGES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 819** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 910** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY, GARNER, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS.

Representative Weiss offers Amendment No. 1 which is adopted by electronic vote (97-11). This amendment changes the title.

Representatives Blue and Gibson request and are granted permission to be recorded as voting "aye". The adjusted vote total is (99-11).

The bill, as amended, passes its second reading, by electronic vote (92-15).

The caption, having been amended, the bill remains on the Calendar.

**SPEAKER BLACK PRESIDING.**

**H.B. 440** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA.

Representative Starnes offers Amendment No. 1 which is adopted, by electronic vote (112-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Pope, Preston, Rayfield, Redwine, Rogers, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representative Davis.

Excused absences: Representatives Ellis, Hiatt, and Hunter - 3.

**H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 1045** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL



FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION.

Representative Blue offers Amendment No. 1 which is adopted by electronic vote (109-1).

Representative Nesbitt offers Amendment No. 2.

On motion of Representative Baddour, and without objection, the bill, with pending Amendment No. 2, is temporarily displaced.

**H.B. 13** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURANCE COMPANIES FROM RECOMMENDING THAT INSURANCE CLAIMANTS OBTAIN MOTOR VEHICLE REPAIR SERVICES FROM PARTICULAR SOURCES WITHOUT BEING INFORMED THAT CLAIMANTS DO NOT HAVE TO USE THOSE RECOMMENDED REPAIR SERVICES OR SOURCES AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE INSURANCE INDUSTRY PRACTICE OF RECOMMENDING REPAIR SERVICES TO CLAIMANT.

Representatives Allen, Cole, Cox, and Dockham request that they be excused from voting on this bill, because of possible conflicts of interests, under Rule 24.1A and these requests are granted.

The bill passes its second reading, by electronic vote (107-3), and there being no objection is read a third time.

Representative Edwards requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-3).

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 307**, A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 405** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE REGARDING THE STATE TESTING AND STUDENT ACCOUNTABILITY PROGRAM, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### WITHDRAWAL OF BILLS FROM CALENDAR

On motion of the Chair, pursuant to Rule 38(a), **H.B. 441** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE PROVISIONS OF THE STATE EMPLOYEE INCENTIVE BONUS PROGRAM, ARTICLE 36A OF CHAPTER 143 OF THE GENERAL STATUTES, is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

On motion of the Chair, **H.B. 455**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT FOR ADDITIONAL SERVICES BY THE STATE HIGHWAY PATROL AT EVENTS CONDUCTED BY PRIVATE ORGANIZATIONS, is withdrawn from the Calendar pursuant to Rule 38(b) and re-referred to the Committee on Finance.

### CALENDAR (continued)

**H.B. 573** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR NOTARIZATION OF

CAMPAIGN REPORTS, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 623**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE ALTERNATIVE CONTRACTING METHODS FOR PUBLIC CONTRACTS BY A MAJORITY VOTE OF ITS MEMBERS, passes its second reading, by electronic vote (94-21).

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 643** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH AGENTS OF RAPE CRISIS CENTERS AND DOMESTIC VIOLENCE PROGRAMS, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **BILL RECALLED FROM SENATE**

On motion of Representative Culpepper, **H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, is recalled from the Senate for further consideration.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 837**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES, passes its second reading, by electronic vote (105-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 898** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STATE EMPLOYEE FEDERAL REMEDY RESTORATION ACT, passes its second reading, by electronic vote (111-4).

Representative Haire objects to the third reading. The bill remains on the Calendar.

### VOTE RECONSIDERED

Having voted with the prevailing side, Representative Hensley moves that the vote by which **H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO APPEALS TO THE SUPERIOR COURT FROM A DISTRICT COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION, failed to pass its second reading be reconsidered.

The motion carries by electronic vote (93-20).

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 25.

### CALENDAR (continued)

**H.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF CHILD ABUSE TO INCLUDE CASES WHERE A CARETAKER OR OTHER PERSON PERSISTENTLY FABRICATES OR MISREPRESENTS MEDICAL ILLNESS IN THE CHILD IN ORDER TO OBTAIN OTHERWISE UNNECESSARY MEDICAL CARE, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 2 which is adopted, by electronic vote (100-4).

The bill, as amended, passes its third reading, by electronic vote (114-0) and is ordered engrossed and sent to the Senate.

**H.B. 1045** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE

WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, which was temporarily displaced, is before the Body, with Amendment No. 2 pending.

Representative Nesbitt withdraws Amendment No. 2.

Representative Nesbitt offers Amendment No. 3 which is adopted, by electronic vote (114-1).

The bill, as amended, passes its third reading, by electronic vote (113-0) and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 902** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD AN APPOINTEE OF THE COMMISSION ON INDIGENT DEFENSE SERVICES TO THE STATE JUDICIAL COUNCIL, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 904**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR MISDEMEANOR CHILD ABUSE TO A CLASS A1 MISDEMEANOR SO THAT IT IS THE SAME AS THE PENALTY FOR ASSAULT ON AN ADULT, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

### **ELECTRONIC VOTING TIME CHANGED**

Pursuant to Rule 20(c), the Chair directs the time for voting changed from ten seconds to five seconds.

### **CALENDAR (continued)**

**H.B. 943**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DISCONTINUED MEMBERSHIP SERVICE ALLOWANCES UNDER

THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-2).

The bill passes its third reading, by electronic vote (108-3), and is ordered sent to the Senate.

**H.B. 618**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MUNICIPALITIES WITH ADDITIONAL AUTHORITY TO REGULATE AND CONTROL DRIVERS AND OPERATORS OF TAXICABS OPERATING BETWEEN CITIES OR TOWNS AND TO THE PIEDMONT TRIAD INTERNATIONAL AIRPORT.

Representative Adams offers Amendment No. 1 which is adopted by electronic vote (113-0).

On motion of the Chair and without objection, the Speaker stops debate and attends to the following business.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Local Government I:

**H.B. 279**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DARE;

**H.B. 726**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NAGS HEAD;

**H.B. 802**, A BILL TO BE ENTITLED AN ACT CONCERNING DARE COUNTY UTILITY UNDERGROUNDING; and

**H.B. 868**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 98TH HOUSE DISTRICT.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 990**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT

ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Education.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 1269**, A BILL TO BE ENTITLED AN ACT REGARDING AIRPORT FEES AND CHARGE FOR RENTAL CARS, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Ways and Means.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 144**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADMINISTRATIVE FLEXIBILITY TO SCHOOLS THAT ARE CLOSED DUE TO INCLEMENT WEATHER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Hill that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 24 at 5:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 243**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERM "TEACHER" FOR PURPOSES OF MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Pensions and Retirement.

The committee substitute bill is re-referred to the Committee on Pensions and Retirement. The original bill is placed on the Unfavorable Calendar.

**H.B. 1128**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 1134**, A BILL TO BE ENTITLED AN ACT TO PUNISH STUDENTS WHO CONSPIRE OR THREATEN TO CAUSE VIOLENCE AT SCHOOL, TO CREATE A LEGAL DUTY TO REPORT THREATS OF SCHOOL VIOLENCE, TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN CRIMINAL OFFENSES COMMITTED WITH THE INTENT OF INTIMIDATING OR RETALIATING AGAINST A PERSON WHO DOES REPORT A THREAT OF SCHOOL VIOLENCE, AND TO GRANT IMMUNITY FROM CRIMINAL PROSECUTION TO ANYONE WHO REPORTS A THREAT OF SCHOOL VIOLENCE, reported without prejudice as to committee substitute bill, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Judiciary III.

The committee substitute bill is re-referred to the Committee on Judiciary III. The original bill is placed on the Unfavorable Calendar.

**H.B. 1149**, A BILL TO BE ENTITLED AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA,



IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRALS**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer the following bills to the Education Subcommittee on Pre-School, Elementary and Secondary Education:

**H.B. 1198**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE REQUIRED TO PREPARE; and

**H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERFORMANCE-BASED LICENSURE PROGRAM TO PERMIT BEGINNING TEACHERS TO SUBMIT PORTFOLIOS DURING THE THIRD YEAR OF TEACHING.

The House stands adjourned at 8:33 p.m.

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## **FIFTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, April 24, 2001

The House meets at 5:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, You are known not only as Master of the Universe, but as personal Lord. You not only control the choreography of the cosmos, but also care for each individual life. Grant us the gift of Your wisdom, that we

April 24, 2001

might balance the need to address numerous pieces of legislation with the call to consider well its effects upon the population. As we peruse the pages of the daily agenda, may we not only see the items for voting, but perceive the faces of those who will be impacted by them. Let not our quest for quantity eclipse the goal of quality. Help us, O God, to be both faithful and fruitful in our efforts. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

### **ELECTRONIC VOTING TIME CHANGED**

Pursuant to Rule 20(c), the Speaker directs the time for voting changed from 5 seconds to 10 seconds.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 875**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BUNCOMBE AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

**H.B. 891**, A BILL TO BE ENTITLED AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 903**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN RICHMOND COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1003**, A BILL TO BE ENTITLED AN ACT TO GRANT AN ALLOWANCE FOR CONTROLLED HUNTING PRESERVES LICENSED BY THE WILDLIFE RESOURCES COMMISSION FOR THE TAKING OF DOMESTICALLY RAISED GAME BIRDS, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representative Hill, Chair, for the Committee on Agriculture:

**H.B. 1318**, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE FARM MACHINERY FRANCHISE LAW, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 442**, A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 716**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAW OF FIDUCIARIES AND DECEDENTS' ESTATES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1117**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY HAS DISCRETION AS TO WHETHER TO

SEEK THE DEATH PENALTY FOR A CAPITAL CASE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1245**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT MALE RESIDENTS AGE 18 THROUGH 25 COMPLY WITH THE SELECTIVE SERVICE SYSTEM'S REGISTRATION REQUIREMENTS BEFORE A LICENSE OR IDENTIFICATION CARD MAY BE ISSUED BY THE DIVISION OF MOTOR VEHICLES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**H.B. 1270**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FULL FAITH AND CREDIT TO JUDGMENTS OF THE EASTERN BAND OF CHEROKEES' TRIBAL COURTS AS THOSE COURTS RECIPROCALLY PROVIDE JUDGMENTS OF NORTH CAROLINA COURTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1284**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION THAT COURT RECORDS FOR CIVIL, ADMINISTRATIVE, AND CRIMINAL CASES ARE OPEN, TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO SEAL A COURT RECORD, TO ESTABLISH A PRESUMPTION THAT THE HEARINGS, PROCEEDINGS, AND TRIALS FOR CIVIL, ADMINISTRATIVE, AND CRIMINAL CASES ARE OPEN, AND TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO CONDUCT A CLOSED HEARING, PROCEEDING, OR TRIAL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1340**, A BILL TO BE ENTITLED AN ACT TO PROVIDE EXPEDITED POST-TOWING PROCEDURES WHEN VEHICLES ARE REMOVED FROM PRIVATE PROPERTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1125**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR ENROLLING CHILDREN IN THE PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 686**, A BILL TO BE ENTITLED AN ACT TO DEFINE "RECREATION VEHICLE" AND TO INCREASE THE LENGTH AND WIDTH LIMITATIONS FOR THESE VEHICLES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 314**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VEHICLE APPROACHES ANOTHER VEHICLE IN THE

OPPOSITE DIRECTION, AT NIGHT, ONLY LOW-BEAM HEAD-LAMPS AND NO MORE THAN TWO OTHER FACTORY-INSTALLED AUXILIARY LAMPS MAY BE ILLUMINATED, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 494**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR UNLAWFULLY CARRYING A CONCEALED WEAPON, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 842**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 985**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO HAS A VALID CONCEALED HANDGUN PERMIT FROM ANOTHER STATE MAY CARRY A CONCEALED HANDGUN IN COMPLIANCE WITH STATE LAW IN NORTH CAROLINA AND TO DIRECT THE DEPARTMENT OF JUSTICE TO ENTER RECIPROCITY AGREEMENTS WITH ALL STATES THAT RECOGNIZE NORTH CAROLINA'S HANDGUN PERMIT AS VALID, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1020**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ASSAULT INFLECTING SERIOUS INJURY ON A LAW ENFORCEMENT OFFICER IS A CLASS F FELONY AND TO MAKE IT A CLASS I FELONY TO ASSAULT A LAW ENFORCEMENT OFFICER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1052**, A BILL TO BE ENTITLED AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**H.B. 636**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CITY OF ELIZABETH CITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 886**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

**H.B. 887**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 51ST HOUSE DISTRICT, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 140**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FAIR AND RELIABLE IMPOSITION OF CAPITAL SENTENCES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 929**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL JURISDICTION AND RELATED POWERS TO THE TOWN OF MINNESOTT BEACH, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representative Wright, Chair, for the Committee on Health:

**H.B. 317**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF NONFEDERAL PAYMENTS FOR THE MEDICAID PROGRAM FOR CERTAIN COUNTIES AND TO APPROPRIATE FUNDS TO COVER THE REDUCTION IN COUNTY NONFEDERAL PAYMENTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 994**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REQUEST APPROVAL FOR A MEDICAID WAIVER FOR TRAUMATIC BRAIN INJURY SERVICES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1232**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE HEALTH AND WELLNESS TRUST FUND COMMISSION TO ENDEAVOR TO FUND PROGRAMS AND INITIATIVES TO EXPAND ACCESS TO PRESCRIPTION DRUGS FOR SENIORS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.



By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 1219**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 279**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF DARE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 449**, A BILL TO BE ENTITLED AN ACT RELATING TO HOUSE DISTRICT 33, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.B. 726**, A BILL TO BE ENTITLED AN ACT RELATING TO THE TOWN OF NAGS HEAD, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 810**, A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee

substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

**H.B. 917**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMOBILE INSURANCE PREMIUM DISCOUNTS FOR CERTAIN PERSONS WHO COMPLETE ACCIDENT PREVENTION COURSES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1088**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO INSURANCE LAWS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1120**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INEXPERIENCED DRIVERS TO MAINTAIN FINANCIAL RESPONSIBILITY CONTINUOUSLY AND INSURANCE COMPANIES TO TRANSMIT

INFORMATION REGARDING FINANCIAL RESPONSIBILITY OF DRIVERS TO THE DIVISION OF MOTOR VEHICLES IN AN ELECTRONIC FORM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 1187**, A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE CANDIDATE OR PERSON PAYING FOR A PERSUASIVE POLL, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1188**, A BILL TO BE ENTITLED AN ACT TO ALLOW PROTECTION OF VOTER RECORDS IN CASE OF DOMESTIC ABUSE PROTECTIVE ORDERS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**H.B. 1272**, A BILL TO BE ENTITLED AN ACT REQUIRING STATE AGENCIES TO USE LIFE-CYCLE COST ANALYSIS FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, AND RENOVATION OF STATE FACILITIES AND FOR THE PURCHASE, OPERATION, AND MAINTENANCE OF EQUIPMENT FOR THESE FACILITIES AND IMPLEMENTING A PILOT PROGRAM TO REVIEW THE USE OF THE TRIANGLE J COUNCIL OF GOVERNMENTS' HIGH PERFORMANCE GUIDELINES IN THE RENOVATION OR CONSTRUCTION OF STATE FACILITIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Gibson, Warwick, and McComas, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 570**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE AMENDMENTS TO THE ADMINISTRATIVE RULE ENTITLED "TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY", with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1006**, A BILL TO BE ENTITLED AN ACT TO AMEND ENVIRONMENTAL REPORTING REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1009**, A BILL TO BE ENTITLED AN ACT TO EXPAND AND MAKE CONSISTENT THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ALLOW FOR RISK-BASED REMEDIAL ACTIONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1063**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERFORMANCE-BASED CLEANUPS OF DISCHARGES OR RELEASES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1215**, A BILL TO BE ENTITLED AN ACT TO EXTEND BY FIVE YEARS THE SUNSET REGARDING THE DISPOSAL OF DEMOLITION DEBRIS IN AN ON-SITE LANDFILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND DEED RECORDATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1308**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE DATE BY WHICH ONLY LOW-SULFUR GASOLINE MAY BE SOLD IN THE STATE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1312**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEM PERMITTING, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 1184**, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SECOND PRIMARY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1191**, A BILL TO BE ENTITLED AN ACT TO REQUIRE ELECTRONIC VOTING SYSTEMS TO REPORT OVERVOTES AND UNDERVOTES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1330**, A BILL TO BE ENTITLED AN ACT ALLOWING INTERNET VOTING BY NORTH CAROLINIANS SERVING THE ARMED FORCES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 308**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR GEOGRAPHIC REPRESENTATION IN APPOINTING MEMBERS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL STATUTES OF THE STATE OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1257**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS OF NORTH CAROLINA TO AUTHORIZE THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND

NATURAL RESOURCES TO DELEGATE TO THE DIVISION OF FOREST RESOURCES CERTAIN RESPONSIBILITIES RELATED TO THE IDENTIFICATION OF STREAMS IN ORDER TO IMPLEMENT THE STREAM BUFFER RULES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 804** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, CRAVEN, MONTGOMERY, AND PAMLICO COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of April 25. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Gibson, Chair, for the Committee on Alcoholic Beverage Control:

**H.B. 1361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE SIGN DESIGNATING THE NORTH CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

## INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Jeffus:

**H.B. 1366**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ANIMAL DISCOVERY PROJECT AT THE NATURAL

SCIENCE CENTER OF GREENSBORO, is referred to the Committee on Appropriations.

By Representative Blue:

**H.B. 1367**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PHOTONICS CONSORTIUM, is referred to the Committee on Appropriations.

By Representatives Blue and Michaux:

**H.B. 1368**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MARTIN LUTHER KING, JR. RESOURCE CENTER OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Insko and Luebke:

**H.B. 1369**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ELIGIBILITY CRITERIA FOR THE STATE ABORTION FUND AND TO APPROPRIATE FUNDS TO THE STATE ABORTION FUND, is referred to the Committee on Appropriations.

By Representatives Nye and Weiss:

**H.B. 1370**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL MEDICAID CAP-CHILDREN SLOTS, is referred to the Committee on Appropriations.

By Representatives Mitchell and Luebke:

**H.B. 1371**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ORGANIC CERTIFICATION COST-SHARING PROGRAM AND A GRANT-IN-AID TO THE CAROLINA FARM STEWARDSHIP ASSOCIATION, is referred to the Committee on Appropriations.

By Representative Rogers:

**H.B. 1372**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SYSTEM OF COMMUNITY COLLEGES, is referred to the Committee on Rules, Calendar, and Operations of the House.



By Representative Rogers:

**H.B. 1373**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SYSTEM OF COMMUNITY COLLEGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
April 23, 2001

Mr. Speaker:

Pursuant to your request that **H.B. 545**, A BILL TO BE ENTITLED AN ACT TO GIVE TEACHERS CREDIT FOR THE EXCESS PERSONAL LEAVE TIME THAT THEY EARN, be returned to the House of Representatives for further consideration, the Senate herewith complies and the bill is being returned.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

On motion of Representative Culpepper, the vote by which the bill passed its third reading is reconsidered, by electronic vote (115-1).

Having voted with the prevailing side, Representative Blust moves that the vote by which Amendment No. 1 was adopted be reconsidered.

The motion carries by electronic vote (115-3).

Amendment No. 1 fails of adoption by electronic vote (26-91).

Representative C. Wilson inquires of the Chair if a bill would be in order if reported out of committee with the same contents that were in the amendment that failed. The Speaker states that it would be in order.

The bill passes its third reading, by electronic vote (118-1), and is ordered unengrossed and sent to the Senate.

April 24, 2001

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY AND THE TOWNS OF INDIAN BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH, AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

**S.B. 262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON IMPROPERLY CHARGED WITH A CRIMINAL OFFENSE AS A RESULT OF IDENTITY FRAUD MAY HAVE HIS OR HER RECORD EXPUNGED, is read the first time and referred to the Committee on Judiciary I.

**S.B. 538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ALLOW MORE FLEXIBILITY IN CREATING TWO-COUNTY INDUSTRIAL PARKS, is read the first time and referred to the Committee on Finance.

**S.B. 685** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS, is read the first time and referred to the Committee on State Government.

**S.B. 690**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT SO AS TO CLARIFY THAT THE CHANCELLOR REPRESENTS THE INTEREST OF A CONSTITUENT

INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Education.

**S.B. 715**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COLLABORATION BETWEEN THE DIVISION OF SOCIAL SERVICES AND THE COMMISSION OF INDIAN AFFAIRS AND THE NORTH CAROLINA DIRECTORS OF SOCIAL SERVICES ASSOCIATION ON INDIAN CHILD WELFARE ISSUES, is read the first time and referred to the Committee on Children, Youth and Families.

**S.B. 752**, A BILL TO BE ENTITLED AN ACT TO ADD AN APPOINTEE OF THE INDIGENT DEFENSE SERVICES COMMISSION TO THE STATE JUDICIAL COUNCIL, is read the first time and referred to the Committee on Judiciary II.

**S.B. 836**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES, is read the first time and referred to the Committee on Education.

**S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION, is read the first time and referred to the Committee on Wildlife Resources and, if favorable, to the Committee on Finance.

**S.B. 951**, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 5 OF THE RULES OF CIVIL PROCEDURE TO ELIMINATE THE REQUIREMENT OF FILING OF BRIEFS OR MEMORANDA REGARDING DISPOSITIVE MOTIONS WITHIN FIVE DAYS OF SERVICE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION, is read the first time and referred to the Committee on Judiciary I.

**S.B. 990** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT PERSONS CONTRACTING WITH THE PUBLIC SCHOOLS FROM DISCLOSING INFORMATION ABOUT STUDENTS FOR A BUSINESS PURPOSE, is read the first time and referred to the Committee on Education.

**S.B. 1023**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM ELECTRONIC TRANSACTIONS ACT, is read the first time and referred to the Committee on Ways and Means.

**S.B. 1056**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, is read the first time and referred to the Committee on Ways and Means.

**S.B. 1075**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL GIFT ACT, is read the first time and referred to the Committee on Health.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws the following bills from the Calendar pursuant to Rule 36(b) and re-refers them to the Committee on Rules, Calendar, and Operations of the House.

**H.B. 123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE'S CRIMINAL LAWS WITH REGARD TO ARSON AND OTHER BURNINGS; AND TO STUDY THE NEED FOR CONFORMING CHANGES TO THE STATUTORY MEDICAL REPORTING REQUIREMENTS REGARDING BURN INJURIES THAT APPEAR TO RESULT FROM A CRIMINAL ACT; and

**H.B. 1068** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM.

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 1182**, A BILL TO BE ENTITLED AN ACT PROVIDING NONLICENSED EMPLOYEES OF LOCAL SCHOOL BOARDS WITH COVERAGE UNDER THE STATE PERSONNEL ACT THAT IS SIMILAR TO THE COVERAGE OF OTHER LOCAL EMPLOYEES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Appropriations.

**CALENDAR**

Action is taken on the following:

**H.B. 618**, A BILL TO BE ENTITLED AN ACT TO PROVIDE MUNICIPALITIES WITH ADDITIONAL AUTHORITY TO REGULATE AND CONTROL DRIVERS AND OPERATORS OF TAXICABS OPERATING BETWEEN CITIES OR TOWNS AND TO THE PIEDMONT TRIAD INTERNATIONAL AIRPORT.

Representative Decker offers Amendment No. 2 which is adopted by electronic vote (115-1).

The bill, as amended, passes its third reading, by electronic vote (100-17), and is ordered engrossed and sent to the Senate.

**H.B. 905** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCLUDE LAW ENFORCEMENT EQUIPMENT IN THE CATEGORY OF FELONY LARCENY.

Representative Goodwin offers Amendment No. 1 which is adopted, by electronic vote (115-1).

The bill, as amended, fails to pass its second reading, by electronic vote (44-73).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 953**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A FELONY TO POSSESS, PASS, OR UTTER COUNTERFEIT UNITED STATES CURRENCY WITH THE INTENT TO DEFRAUD ANOTHER.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

Representative Smith requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (117-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**H.B. 968**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES, passes its second reading, by electronic vote (119-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 972**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE JURISDICTION AND AUTHORITY OF UNIVERSITY OF NORTH CAROLINA CAMPUS LAW ENFORCEMENT AGENCIES, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 979** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ISSUE SPECIAL HIGH SCHOOL DIPLOMAS TO VETERANS OF WORLD WAR II WHO HAVE NOT PREVIOUSLY RECEIVED DIPLOMAS, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 980** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1060**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENVIRONMENTAL REMEDIATION AND RESTORATION ACTIVITIES

ARE NOT STATE CAPITAL IMPROVEMENT PROJECTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1061**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN PUBLIC WATER SYSTEMS THAT RESELL WATER FROM THE NORTH CAROLINA DRINKING WATER ACT, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1083** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1090**, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE PRESIDENT OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER SHALL SERVE AS AN EX OFFICIO MEMBER OF THE RURAL INTERNET ACCESS AUTHORITY, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING CERTAIN TYPES OF DEPOSIT ACCOUNTS IN NORTH CAROLINA TO MAKE THEM MORE UNDERSTANDABLE TO CONSUMERS AND TO MAKE THEM MORE FLEXIBLE IN MEETING CONSUMER PREFERENCES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE,  
PRESIDING.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF COUNTERFEITING NEGOTIABLE INSTRUMENTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PUBLIC AUTHORITIES ARE ELIGIBLE FOR GRANTS FROM THE PARKS AND RECREATION TRUST FUND, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPEAKER BLACK PRESIDING.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1113**, A BILL TO BE ENTITLED AN ACT TO LIMIT DISCLOSURE OF CONSUMER FINANCIAL INFORMATION TO THIRD PERSONS AND TO PROVIDE FOR EDUCATION OF THE PUBLIC ON THOSE LIMITATIONS, passes its second reading, by electronic vote (103-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1118**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSE OF FRAUD AGAINST FINANCIAL INSTITUTIONS, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

Representatives Justus and Warwick request and are granted permission to be recorded as voting "aye". The adjusted vote total is (116-1).

The bill passes its third reading and is ordered sent to the Senate.



**H.B. 1119**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA ENGINEERING AND LAND SURVEYING ACT AND AUTHORIZING THE STATE BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS TO ACQUIRE REAL PROPERTY, TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, AND TO INCREASE THE CIVIL PENALTY FROM TWO THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS FOR VIOLATIONS OF THE ACT, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPELLATE PROCEDURE FOR CRIMINAL CONTEMPT, passes its second reading, by electronic vote (107-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR THE SALE OF DRUGS IN PUBLIC PARKS AND PLAYGROUNDS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1169**, A BILL TO BE ENTITLED AN ACT AMENDING THE LOCAL GOVERNMENT PURCHASING LAWS UNDER THE LAWS RELATING TO PUBLIC CONTRACTS AND THE SALE OF PROPERTY FOR CITIES AND TOWNS, passes its second reading, by electronic vote (118-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1247**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SECOND OR SUBSEQUENT CONVICTION OF A SEX OFFENSE COMMITTED AGAINST A MINOR SHALL BE ADDED TO THE LIST OF AGGRAVATING FACTORS TO BE CONSIDERED BY THE COURT WHEN IMPOSING A SENTENCE FOR A CRIMINAL OFFENSE, passes its second reading, by electronic vote (114-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1276** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLOSE THE LEGAL LOOPHOLE THAT EXISTS UNDER THE STATE'S INCEST LAWS AND TO EQUALIZE PUNISHMENTS FOR CRIMES COMMITTED AGAINST CHILDREN WITHOUT REGARD TO FAMILIAL STATUS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1285**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1286**, A BILL TO BE ENTITLED AN ACT REPEALING THE REQUIREMENT OF THE CONFERENCE OF DISTRICT ATTORNEYS TO MAINTAIN A REPOSITORY RELATING TO VICTIMS' INFORMATION, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1304**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE TREASURER AND THE NORTH CAROLINA HOUSING FINANCE AGENCY TO DEVELOP PILOT PROGRAMS TO PROVIDE NEW TEACHERS WITH MORTGAGE ASSISTANCE TO ENCOURAGE THEM TO STAY IN THE CLASSROOM FOR A PERIOD OF AT LEAST THREE YEARS, passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1307**, A BILL TO BE ENTITLED AN ACT RELATING TO THE CONVERSION OF EXISTING RESIDENTIAL DEVELOPMENTS TO PLANNED COMMUNITIES, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 1341**, A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (115-0).

Representative Blue offers Amendment No. 2 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

**H.B. 321** (Committee Substitute), A BILL TO BE ENTITLED AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE CITY OF SALISBURY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: None.

**H.B. 910** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY, GARNER, MORRISVILLE, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS.

Representative Ellis offers Amendment No. 2 which is adopted by electronic vote (112-3). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

**H.B. 658** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ELIMINATING THE RESIDENCY REQUIREMENT FOR POLICE OFFICERS OF THE CITY OF ROCKY MOUNT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 567** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUNICIPALITIES OF WAKE COUNTY, EXCEPT FOR THE TOWN OF CARY, TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT.

Representative Ellis offers Amendment No. 1.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT GRANTING TO THE CARY TOWN COUNCIL AUTHORITY TO REQUIRE DISCLOSURE OF THE NAMES OF CONTRIBUTORS TO TOWN ELECTION CAMPAIGNS, AND TO LIMIT THE AMOUNTS OF SUCH CONTRIBUTIONS, AS HAS PREVIOUSLY BEEN GRANTED TO ANOTHER MUNICIPALITY.

On motion of Representative Weiss and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of April 25.

**H.B. 567** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUNICIPALITIES OF WAKE COUNTY,

April 24, 2001

EXCEPT FOR THE TOWN OF CARY, TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, which was temporarily displaced, with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 440** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 118.

Voting in the negative: None.

Excused absences: None.

**H.B. 567** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUNICIPALITIES OF WAKE COUNTY, EXCEPT FOR THE TOWN OF CARY, TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, which was temporarily displaced, is before the Body.

Representative Ellis offers Amendment No. 2.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 623**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE BUILDING COMMISSION TO AUTHORIZE ALTERNATIVE CONTRACTING METHODS FOR PUBLIC CONTRACTS BY A MAJORITY VOTE OF ITS MEMBERS, passes its third reading, by electronic vote (109-8), and is ordered sent to the Senate.

**H.B. 567** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE MUNICIPALITIES OF WAKE COUNTY, EXCEPT FOR THE TOWN OF CARY, TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

A division having been called, Amendment No. 2 is adopted by electronic vote (59-49). This amendment changes the title.

The bill, as amended, fails to pass its second reading by electronic vote (32-77).

**H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 1 which is adopted by electronic vote (52-49).

On motion of Representative Womble, the bill is temporarily displaced.

**H.B. 898** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STATE EMPLOYEE FEDERAL REMEDY RESTORATION ACT.

Representative Haire offers Amendment No. 1 which is adopted, by electronic vote (108-0).

The bill, as amended, passes its third reading, by electronic vote (108-2), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 275** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES, passes its second reading, by electronic vote (109-8).

Representative Haire objects to the third reading. The bill remains on the Calendar.

**H.B. 351** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND SUBSTANTIVE CHANGES IN THE LAW GOVERNING MANAGED CARE UTILIZATION REVIEW AND GRIEVANCE PROCEDURES, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**H.B. 377** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

#### **WITHDRAWAL OF OBJECTION TO THE THIRD READING**

Representative Haire withdraws his objection to the third reading of **H.B. 275** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES.

Representative Starnes offers Amendment No. 1 which is adopted by electronic vote (59-57).

The bill, as amended, passes its third reading, by electronic (108-9), and is ordered engrossed and sent to the Senate.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1337**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SUPPORT FOR INITIALLY LICENSED TEACHERS, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

Representative Culpepper moves, seconded by Representative Insko that the House adjourn, subject to the receipt of Committee Reports, to reconvene April 25 at 12:00 Noon.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**H.B. 402**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BERTIE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 931**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIRE-ARMS AND TO REGULATE HUNTING NEAR GOVERNMENT BUILDINGS, with a favorable report as to committee substitute bill, unfavorable as to original bill.



Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Boyd-McIntyre and Hunter, Chairs, for the Committee on Children, Youth and Families:

**H.B. 1317**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN RESTRICTIVE COVENANTS DO NOT APPLY TO LICENSED FAMILY CHILD CARE HOMES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**H.B. 1030**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEDICAID REIMBURSEMENT SHALL BE MADE DIRECTLY TO ICCD CERTIFIED CLUBHOUSE MODEL PSYCHOSOCIAL PROGRAMS FOR MEDICAID-ELIGIBLE SERVICES PROVIDED BY THE PROGRAMS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The Chair rules that the committee substitute bill is not required to be re-referred to the Committee on Appropriations pursuant to Rule 38(a).

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 360**, A BILL TO BE ENTITLED AN ACT TO EXPRESSLY ALLOW NONBINDING ARBITRATION IN HEALTH INSURANCE POLICIES; CLARIFY THE PREFERRED PROVIDER PLAN LAW; AMEND THE SMALL EMPLOYER RATE GUARANTEE LAW; PROVIDE FOR THE PROMOTION OF ALCOHOL AND NARCOTIC SCREENING AND INTERVENTION; AMEND THE LAW ON NEWBORN AND FOSTER CHILD COVERAGE; PROVIDE FOR SUCCESSOR HEALTH

PLAN COVERAGE FOR CONFINEMENT OR PREGNANCY; PROVIDE FOR A HEALTH INSURANCE CONTINUATION ELECTION PERIOD; REQUIRE AN HMO GROUP COVERAGE PREMIUM CHANGE NOTICE; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONDITIONS FIRST DIAGNOSED UNDER PREVIOUS COVERAGE; TO EXPAND MEDICARE SUPPLEMENT GUARANTEED ISSUANCE FOR DISABLED PERSONS; TO ALLOW THE INSURANCE COMMISSIONER TO ADOPT TEMPORARY RULES FOR MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE TO IMPLEMENT FEDERAL REQUIREMENTS; AND TO MAKE TECHNICAL CORRECTIONS TO REFLECT REPEALS OF LAWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1160**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 990**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS, with a favorable report as to the committee substitute joint resolution, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute joint resolution is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1144**, A BILL TO BE ENTITLED AN ACT TO APPOINT SCHOOL ADMINISTRATORS TO SERVE AS ADVISORS TO THE STATE

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BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1161**, A BILL TO BE ENTITLED AN ACT TO APPOINT SCHOOL ADMINISTRATORS TO SERVE AS ADVISORS TO THE STATE BOARD OF EDUCATION, with a favorable report as to the committee substitute joint resolution, which changes the title, unfavorable as to the original bill.

Pursuant to Rule 36(b), the committee substitute joint resolution is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL NOT OFFER REMEDIAL EDUCATION PROGRAMS, reported without prejudice, and with recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 1289**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO REENACT THE LAW GOVERNING PERMITS FOR URBAN WATERFRONT DEVELOPMENT IN HISTORICALLY URBAN AREAS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 77** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION

FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA, AND MOCKSVILLE, with recommendation that the House concur, without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 338**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of April 25. The original bill is placed on the Unfavorable Calendar.

**H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS PROTECT THE RIGHTS OF STUDENTS AND THEIR FAMILIES, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 622**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.J.R. 1016**, A JOINT RESOLUTION HONORING THE MEMORY OF GRADY HOWARD UPON THE FIFTIETH ANNIVERSARY OF THE TOWN OF SPRING LAKE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of April 25.

**H.B. 1116**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MORATORIUM ON CARRYING OUT THE DEATH PENALTY, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I and, if favorable, to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Judiciary I and, if favorable, to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 9:00 p.m.

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## FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Wednesday, April 25, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, in the rush to address the items on our agenda, keep us from running over the truth. In our desire to finish the work of the day, keep us from passing over worthy questions. In our dash towards the deadline of crossover, keep us from superficial reflection on complicated issues. Help us balance depth of discussion with the desire for brevity. Strengthen our spirits, lest weariness and not mercy, exhaustion and not justice become the factors of our decisions. Support us in our work, that we might be worthy servants of our calling. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

April 25, 2001

A leave of absence is granted Representative Adams for today.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 290**, AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND. (S.L. 2001-30)

**H.B. 656**, AN ACT TO ALLOW JOHNNY S. MYERS TO CONVEY CERTAIN PROPERTY TO THE COUNTY OF YADKIN. (S.L. 2001-31)

**H.B. 702**, AN ACT TO AUTHORIZE TYRRELL COUNTY TO DISPOSE OF WETLANDS MITIGATION BANKING CREDITS. (S.L. 2001-32)

**H.B. 768**, AN ACT TO MAKE VIOLATIONS OF CURRITUCK COUNTY BEACH DRIVING ORDINANCES ENFORCEABLE IN THE SAME MANNER AS STATE TRAFFIC STATUTES AND TO MAKE THE VIOLATION PROVISION OF THE ACT CONSISTENT WITH STRUCTURED SENTENCING. (S.L. 2001-33)

**H.B. 777**, AN ACT TO REPEAL THE GASTONIA FIREMEN'S SUPPLEMENTARY PENSION FUND. (S.L. 2001-34)

**H.B. 885**, AN ACT TO ALLOW THE TOWN OF NAGS HEAD TO DESIGNATE CERTAIN TOWN-OWNED PROPERTY TO BE USED FOR ASSISTED LIVING AND ENVIRONMENTAL EDUCATION FACILITIES. (S.L. 2001-35)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 645**, A BILL TO BE ENTITLED AN ACT TO ENACT DRESS CODES AND APPEARANCE POLICIES FOR PUBLIC SCHOOL STUDENTS AND EMPLOYEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Insko, Chair, for the Permanent Subcommittee on Universities of the Standing Committee on Education.

**H.B. 151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LEGISLATIVE TUITION GRANT MAY BE PAID TO A STUDENT WHO ATTENDS A BIBLE COLLEGE THAT MEETS THE SAME CRITERIA AS OTHER PRIVATE SCHOOLS, reported to the Standing Committee on Education, without prejudice, and with recommendation that the bill be referred to the Committee on Appropriations Subcommittee on Education.

By Representative Allred, Chair, for the Committee on Ways and Means:

**H.B. 998**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on today's Calendar.

**H.B. 1269**, A BILL TO BE ENTITLED AN ACT REGARDING AIRPORT FEES AND CHARGE FOR RENTAL CARS, with a favorable report, as amended.

Pursuant to Rule 36(b), the bill is placed on today's Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 744**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF MOORE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 868**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 98TH HOUSE DISTRICT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

On motion of the Chair, pursuant to Rule 38(b), the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Michaux, Adams, Blue, Hunter, Oldham, Wainwright, and Womble:

**H.B. 1374**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION TO CONTINUE THE WORK OF THE CONSORTIUM OF THE HISTORICALLY MINORITY COLLEGE AND UNIVERSITY INITIATIVE TO DETERMINE THE BEST METHODS FOR CLOSING THE ACHIEVEMENT GAP AMONG CHILDREN OF VARIOUS DEMOGRAPHIC GROUPS WHO ARE PERFORMING BELOW GRADE LEVEL, is referred to the Committee on Appropriations.

By Representative Michaux:

**H.B. 1375**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR GENETIC HEALTH CARE SERVICES TO ASSIST IN THE PREVENTION OF INFANT MORTALITY AND OTHER DISEASES AND DISABILITIES RELATED TO GENETIC DISORDERS, is referred to the Committee on Appropriations.

By Representatives Rayfield, Culp, and Grady:

**H.B. 1376**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REIMBURSEMENT TO COUNTIES FOR THE COST OF CONDUCTING STATEWIDE PRIMARIES, ELECTIONS, AND REFERENDA, AND TO APPROPRIATE FUNDS, is referred to the Committee on Election Law and Campaign Finance Reform and, if favorable, to the Committee on Appropriations.

By Representative Wright:

**H.B. 1377**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF WILMINGTON FOR THE PURCHASE OF A FIREBOAT, is referred to the Committee on Appropriations.



By Representative Culpepper:

**H.B. 1378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MAGISTRATE IN CHOWAN COUNTY, is referred to the Committee on Appropriations.

By Representatives Insko and Luebke (Primary Sponsors):

**H.B. 1379**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN APPORTIONING CORPORATE INCOME TO THIS STATE FOR TAX PURPOSES, SALES DELIVERED TO ANOTHER STATE WHERE THEY ARE NOT TAXABLE ARE TREATED AS SALES IN THIS STATE, is referred to the Committee on Finance.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 173** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH, is read the first time and referred to the Committee on Judiciary I.

**S.B. 241** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW MAKING IT A FELONY FOR AN INSURANCE FIDUCIARY TO CAUSE TERMINATION OF GROUP HEALTH OR LIFE INSURANCE COVERAGE BY NONPAYMENT OF PREMIUM WITHOUT GIVING NOTICE TO MEMBERS OF THE GROUP, is read the first time and referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

**S.B. 274**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROVISION IN THE NORTH CAROLINA SECURITIES ACT, is read the first time and referred to the Committee on Ways and Means.

**S.B. 278** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF SECOND OR SUBSEQUENT OFFENSES INVOLVING THE THEFT OF MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSES REVOKED, is read the first time and referred to the Committee on Judiciary II.

**S.B. 300** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS

RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION, is read the first time and referred to the Committee on Judiciary I.

**S.B. 302** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART, is read the first time and referred to the Committee on State Government.

**S.B. 310**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE, is read the first time and referred to the Committee on Judiciary I.

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON, is read the first time and referred to the Committee on Finance.

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 380**, A BILL TO BE ENTITLED AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES, is read the first time and referred to the Committee on Transportation.

**S.B. 541** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT SINGLE-FAMILY DWELLINGS USED AS FAMILY FOSTER HOMES OR THERAPEUTIC HOMES FROM SANITATION REQUIREMENTS, is read the first time and referred to the Committee on Public Health.

**S.B. 543** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW

GOVERNING CONTROLLED SUBSTANCES, is read the first time and referred to the Committee on Health.

**S.B. 631** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY COUNCIL TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO INCREASE THE NUMBER OF MEMBERS OF THE CITY COUNCIL AND TO MAKE OTHER RELATED CHANGES, is read the first time and referred to the Committee on Local Government I.

**S.B. 641**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT RULES TO EXPAND THE DEFINITION OF UNIVERSAL SERVICE TO INCLUDE STATEWIDE INTERNET ACCESS AND OTHER TECHNOLOGICAL TELECOMMUNICATIONS ADVANCES, is read the first time and referred to the Committee on Public Utilities.

**S.B. 649**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSPICUOUS DISCLOSURE OF MOTOR VEHICLE DEALER ADMINISTRATIVE FEES AND FINANCE YIELD CHARGES AND TO INCREASE DEALER SURETY BOND PROTECTION, is read the first time and referred to the Committee on Judiciary III.

**S.B. 653**, A BILL TO BE ENTITLED AN ACT TO CREATE THE Foothills Regional Airport Authority Special Tax District and to provide for the levy and collection of taxes, is read the first time and referred to the Committee on Finance.

**S.B. 731**, A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODIFY THE PROCESS FOR DEVELOPMENT OF COORDINATED TRANSPORTATION PLANS, is read the first time and referred to the Committee on Transportation.

**S.B. 744**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS ON TEACHING PERSONAL FINANCIAL LITERACY IN THE PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

**S.B. 783**, A BILL TO BE ENTITLED AN ACT TO EXTEND BY FIVE YEARS THE SUNSET REGARDING THE DISPOSAL OF DEMOLITION DEBRIS IN AN ON-SITE LANDFILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 801** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE FIREMEN REPORTING REQUIREMENTS, is read the first time and referred to the Committee on Insurance.

**S.B. 823** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY, is read the first time and referred to the Committee on Alcoholic Beverage Control.

**S.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, is read the first time and referred to the Committee on Judiciary I.

**S.B. 826** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A NATIONAL CRIMINAL HISTORY RECORD CHECK FOR CERTAIN LONG-TERM CARE FACILITIES BECAUSE OF FEDERAL REQUIREMENTS LIMITING DISTRIBUTION OF RECORD CHECK RESULTS, is read the first time and referred to the Committee on Health.

**S.B. 827** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND DEED RECORDATION, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY TREATMENT OF CERTAIN SECURITY INTERESTS CREATED BY THE STATE OR GOVERNMENTAL UNITS OF THE STATE UNDER ARTICLE 9 OF THE NORTH CAROLINA UNIFORM COMMERCIAL CODE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 851**, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND AMEND THE JURISDICTION AND AUTHORITY OF UNIVERSITY OF NORTH CAROLINA CAMPUS LAW ENFORCEMENT AGENCIES, is read the first time and referred to the Committee on Education.

**S.B. 911**, A BILL TO BE ENTITLED AN ACT CONCERNING CONFIDENTIALITY OF COMPETITIVE HEALTH CARE INFORMATION, is read the first time and referred to the Committee on Health.

**S.B. 1078**, A BILL TO BE ENTITLED AN ACT TO IMPROVE AIR QUALITY IN THE STATE BY REQUIRING REDUCTIONS IN THE EMISSIONS OF CERTAIN POLLUTANTS FROM CERTAIN FACILITIES THAT BURN COAL TO GENERATE ELECTRICITY, is read the first time and referred to the Committee on Public Utilities and, if favorable, to the Committee on Environment and Natural Resources.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY AND THE TOWNS OF INDIAN BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH, AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

On motion of Representative Smith, the House concurs in the material Senate Committee Substitute on its second roll call reading, by the following vote. The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Esposito, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill,

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Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 103.

Voting in the negative: Representatives Baker, and Gillespie - 2.

Excused absence: Representative Adams.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA, AND MOCKSVILLE.

On motion of Representative Fox, the House concurs in the material Senate committee substitute on its second roll call reading, by the following vote. The bill remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gullely, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absence: Representative Adams.

**H.B. 804** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, CRAVEN, MCDOWELL, MONTGOMERY, AND PAMLICO COUNTIES TO ACQUIRE PROPERTY FOR USE BY

THEIR BOARDS OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absence: Representative Adams.

**H.B. 910** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY, GARNER, MORRISVILLE, KNIGHTDALE, FUQUAY-VARINA AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS.

The bill, as amended, passes its third reading, by electronic vote (100-11), and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 929**, A BILL TO BE ENTITLED AN ACT TO RESTORE EXTRATERRITORIAL JURISDICTION AND RELATED POWERS TO THE TOWN OF MINNESOTT BEACH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 917**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND

BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 891**, A BILL TO BE ENTITLED AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 726** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO REGULATION OF OCEAN ACTIVITIES BY DARE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 931** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ORANGE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS AND TO REGULATE HUNTING NEAR GOVERNMENT BUILDINGS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 402** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT ROAD HUNTING, TO REGULATE HUNTING ON THE LAND OF ANOTHER, AND TO PROHIBIT THE TAKING OF DEER FROM A BOAT IN BERTIE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT GRANTING TO THE CARY TOWN COUNCIL AUTHORITY TO REQUIRE DISCLOSURE OF THE NAMES OF CONTRIBUTORS TO



TOWN ELECTION CAMPAIGNS, AND TO LIMIT THE AMOUNTS OF SUCH CONTRIBUTIONS, AS HAS PREVIOUSLY BEEN GRANTED TO ANOTHER MUNICIPALITY.

The bill fails to pass its second reading, by electronic vote (34-82).

**H.B. 903**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN RICHMOND COUNTY.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (115-1).

The bill, as amended, passes its second reading, by electronic vote (116-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill is placed on today's Calendar.

**S.B. 25** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (117-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Saunders, Setzer, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill,

Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Blue, Fitch, Hensley, Howard, Johnson, McAllister, Nesbitt, Russell, and Shubert - 9.

Excused absence: Representative Adams.

**H.B. 106** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION.

Having voted with the prevailing side, Representative Earle moves that the vote by which Amendment No. 1 was adopted be reconsidered.

The motion carries, by electronic vote (66-50), and Amendment No. 1 is before the Body.

Representative Womble offers perfecting Amendment No. 2 which is adopted by electronic vote (66-49).

Representative Smith offers perfecting Amendment No. 3 which is adopted by electronic vote (116-0).

Representative Arnold offers perfecting Amendment No. 4 which is adopted by electronic vote (114-1).

Amendment No. 1 is adopted by electronic vote (104-11).

The bill, as amended, passes its third reading, by electronic vote (98-17), and is ordered engrossed and sent to the Senate by Special Message.

**H.J.R. 1161** (Committee Substitute), 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, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1272** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING STATE AGENCIES TO USE LIFE-CYCLE COST ANALYSIS

FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, AND RENOVATION OF STATE FACILITIES AND FOR THE PURCHASE, OPERATION, AND MAINTENANCE OF EQUIPMENT FOR THESE FACILITIES AND IMPLEMENTING A PILOT PROGRAM TO REVIEW THE USE OF THE TRIANGLE J COUNCIL OF GOVERNMENTS' HIGH PERFORMANCE GUIDELINES IN THE RENOVATION OR CONSTRUCTION OF STATE FACILITIES, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.J.R. 990** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THREE APPOINTMENTS BY THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, is withdrawn from the Calendar and re-referred to the Committee on Education.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 434** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (117-0), and there being no objection is read a third time.

On motion of Representative Bowie, the bill is temporarily displaced.

### **ELECTRONIC VOTING TIME CHANGED**

Pursuant to Rule 20(c), the Speaker directs the time for voting changed from 10 seconds to 5 seconds.

**CALENDAR (continued)**

**H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO REENACT THE LAW GOVERNING PERMITS FOR URBAN WATERFRONT DEVELOPMENT IN HISTORICALLY URBAN AREAS, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 509** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE STOCKING OF ANIMALS BY CERTAIN PERSONS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 314** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VEHICLE APPROACHES ANOTHER VEHICLE IN THE OPPOSITE DIRECTION, AT NIGHT, ONLY LOW-BEAM HEADLAMPS AND NO MORE THAN TWO OTHER FACTORY-INSTALLED AUXILIARY LAMPS MAY BE ILLUMINATED.

Representative Preston offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPOINT SCHOOL ADMINISTRATORS TO SERVE AS ADVISORS TO THE STATE BOARD OF EDUCATION AND TO REDUCE THE NUMBER OF STUDENT AND STATE TEACHER OF THE YEAR ADVISORS TO THE STATE BOARD OF EDUCATION, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 686**, A BILL TO BE ENTITLED AN ACT TO DEFINE "RECREATION VEHICLE" AND TO INCREASE THE LENGTH AND WIDTH LIMITATIONS FOR THESE VEHICLES.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (109-0).

The bill, as amended, passes its second reading, by electronic vote (106-1).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 806** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF REFRIGERATION TRADE OR BUSINESS UNDER THE LAWS RELATING TO REFRIGERATION CONTRACTORS.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (105-0).

Representatives Brubaker and Setzer request and are granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

The bill, as amended, passes its second reading, by electronic vote (107-3), and there being no objection is read a third time.

Representative McComas requests and is granted permission to be recorded as voting "no". The adjusted vote total is (106-4).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 609** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE MINIMUM SEPARATION DISTANCES BETWEEN A WELL SERVING CERTAIN SINGLE-FAMILY DWELLINGS AND CERTAIN OTHER STRUCTURES ON THE SAME LOT AND TO

AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A TEMPORARY RULE TO INCORPORATE THOSE MINIMUM SEPARATION DISTANCES.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its second reading, by electronic vote (109-2).

Representative Starnes objects to the third reading. The bill remains on the Calendar.

**H.B. 1270** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FULL FAITH AND CREDIT TO JUDGMENTS OF THE EASTERN BAND OF CHEROKEES' TRIBAL COURTS AS THOSE COURTS RECIPROCALLY PROVIDE JUDGMENTS OF NORTH CAROLINA COURTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOW DRIVERS SHALL OPERATE THEIR MOTOR VEHICLES WHEN PASSING PARKED OR STANDING EMERGENCY VEHICLES THAT HAVE THEIR EMERGENCY LIGHTS ILLUMINATED, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1003**, A BILL TO BE ENTITLED AN ACT TO GRANT AN ALLOWANCE FOR CONTROLLED HUNTING PRESERVES LICENSED BY THE WILDLIFE RESOURCES COMMISSION FOR THE TAKING OF DOMESTICALLY RAISED GAME BIRDS.

On motion of Representative Sexton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (109-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1020** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN ASSAULT INFLICTING SERIOUS INJURY ON A LAW ENFORCEMENT OFFICER IS A CLASS F FELONY.

On motion of Representative Goodwin, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

**H.B. 1030** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEDICAID AND STATE APPROPRIATIONS REIMBURSEMENT SHALL BE MADE DIRECTLY TO ICCD CERTIFIED CLUBHOUSE MODEL PSYCHOSOCIAL PROGRAMS FOR SERVICES PROVIDED BY THE PROGRAMS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 434** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, which was temporarily displaced, is before the Body.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 884** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGFULLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE AND TO AMEND THE LAW PROVIDING COMPENSATION TO THE PERSON FOR A WRONGFUL CONVICTION, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

### **WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Nesbitt withdraws his objection to the third reading of **H.B. 686**, A BILL TO BE ENTITLED AN ACT TO DEFINE "RECREATION VEHICLE" AND TO INCREASE THE LENGTH AND WIDTH LIMITATIONS FOR THESE VEHICLES.

The bill, as amended, passes its third reading, and is ordered engrossed and sent to the Senate by Special Message.

### **CALENDAR (continued)**

**H.B. 1191** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE ELECTRONIC VOTING SYSTEMS TO REPORT OVERVOTES AND UNDERVOTES, passes its second reading, by electronic vote (108-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1120**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INEXPERIENCED DRIVERS TO MAINTAIN FINANCIAL RESPONSIBILITY CONTINUOUSLY AND INSURANCE COMPANIES TO TRANSMIT INFORMATION REGARDING FINANCIAL RESPONSIBILITY OF DRIVERS TO THE DIVISION OF MOTOR VEHICLES IN AN ELECTRONIC FORM.

SPEAKER BLACK PRESIDING.

On motion of Representative Nye, the bill is temporarily displaced.

**H.B. 1219** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.



Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 977**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXCUSE REQUIREMENT FROM ABSENTEE VOTING, passes its second reading, by electronic vote (106-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 941**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES IN NORTH CAROLINA WITH POPULATIONS OF ONE HUNDRED THOUSAND TO ENACT ORDINANCES PROHIBITING DISCRIMINATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1154**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' RIGHTS ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1217**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LIENHOLDERS BE NOTIFIED IMMEDIATELY WHEN A MOTOR VEHICLE IS SUBJECT TO FORFEITURE FOR IMPAIRED DRIVING AFTER IMPAIRED DRIVING LICENSE REVOCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 1229**, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE GEOGRAPHICAL SOURCES OF MAINTENANCE FUNDS, TO PROVIDE FOR THE DISTRIBUTION OF MAINTENANCE FUNDS, AND TO REQUIRE INTERNET REPORTING OF ALL MAINTENANCE AND CONSTRUCTION EXPENDITURES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 1189**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on today's Calendar.

**H.B. 1193**, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTERS TO REPORT CHANGES OF ADDRESS BY FAX, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on today's Calendar.

By Representative Warren, Chair, for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education:

**H.B. 823**, A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRACURRICULAR ACTIVITIES AT PUBLIC SCHOOLS, reported to the Standing Committee on Education, with a favorable recommendation as to proposed committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the bill be re-referred to the Committee on Rules, Calendar and Operations of the House.

By Representative Warren, Chair, for the Permanent Subcommittee on Pre-School, Elementary and Secondary Education of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERFORMANCE-BASED LICENSURE PROGRAM TO PERMIT BEGINNING TEACHERS TO SUBMIT PORTFOLIOS DURING THE THIRD YEAR OF TEACHING, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**H.B. 335**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE DISPOSITION OF A FIREARM TO PROVIDE THAT UPON ORDER OF THE APPROPRIATE COURT, A LAW ENFORCEMENT AGENCY MAY USE THE FIREARM, OR MAY TRADE, EXCHANGE, OR SELL THE FIREARM TO A FEDERALLY LICENSED FIREARMS DEALER AND USE THE SALE PROCEEDS FOR LAW ENFORCEMENT PURPOSES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 844**, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT ELEVEN INTO A SET OF DISTRICTS FOR ELECTORAL PURPOSES ONLY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 946**, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT FORMS OF

IDENTIFICATION AN OFFENSE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1151**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON SHALL NOT BE INDICTED AS BOTH A HABITUAL FELON AND A VIOLENT HABITUAL FELON FOR THE SAME OFFENSE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1152**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE HABITUAL FELON LAW, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

### CALENDAR (continued)

**H.B. 1257** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DELEGATE TO THE DIVISION OF FOREST RESOURCES THE RESPONSIBILITY TO DETERMINE THE PRESENCE OF SURFACE WATERS THAT MAY BE AFFECTED BY SILVICULTURE ACTIVITIES FOR PURPOSES OF THE RIPARIAN BUFFER PROTECTION PROGRAM, passes its second reading, by electronic vote (103-2), and there being no objection is read a third time.

Representatives Edwards, Gibson, and Justus request and are granted permission to be recorded as voting "aye". The adjusted vote total is (106-2).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1043**, A BILL TO BE ENTITLED AN ACT TO PROVIDE WILDLIFE PROTECTORS WITH AUTHORITY TO ENFORCE THE

LAWS AGAINST TRESPASSING UPON POSTED PROPERTY, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 360** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON STIPULATIONS AS TO JURISDICTION AND LIMITATIONS OF ACTION AND THE PREFERRED PROVIDER PLAN LAW; AMEND THE SMALL EMPLOYER RATE GUARANTEE LAW; PROVIDE FOR THE PROMOTION OF ALCOHOL AND NARCOTIC SCREENING AND INTERVENTION; AMEND THE LAW ON NEWBORN AND FOSTER CHILD COVERAGE; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONFINEMENT OR PREGNANCY; PROVIDE FOR A HEALTH INSURANCE CONTINUATION ELECTION PERIOD; REQUIRE AN HMO GROUP COVERAGE PREMIUM CHANGE NOTICE; CLARIFY THE HMO POINT-OF-SERVICE LAW; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONDITIONS FIRST DIAGNOSED UNDER PREVIOUS COVERAGE; TO EXPAND MEDICARE SUPPLEMENT GUARANTEED ISSUANCE FOR DISABLED PERSONS; TO ALLOW THE INSURANCE COMMISSIONER TO ADOPT TEMPORARY RULES FOR MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE TO IMPLEMENT FEDERAL REQUIREMENTS; TO MAKE TECHNICAL CORRECTIONS TO REFLECT REPEALS OF LAWS; TO CLARIFY THE LAWS ON RECONSTRUCTIVE SURGERY NOTICES; AND TO CLARIFY THE LAW ON DEEMER PROVISIONS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on today's Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 1266**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF REGISTERED NURSE FIRST ASSISTANTS UNDER HEALTH INSURANCE POLICIES AND PLANS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on today's Calendar.

**H.B. 1329**, A BILL TO BE ENTITLED AN ACT PROHIBITING AN INSURER FROM AUTHORIZING OR REQUIRING THE USE OF NONORIGINAL CRASH REPAIR PARTS FOR MOTOR VEHICLE REPAIRS WITHOUT THE WRITTEN CONSENT FROM THE INSURED OR CLAIMANT, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 957**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MINIMUM AGE FOR ENTRY IN THE PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 218** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL COMMODITIES OR PRODUCTION SYSTEMS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on today's Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 383**, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO WAIVE IMMUNITY FOR NEGLIGENCE LIABILITY BY THE ADOPTION OF A FUNDED RESERVE AND TO CLARIFY THAT ANY WAIVER OF IMMUNITY IS FROM THE FIRST DOLLAR OF DAMAGES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

### **ELECTRONIC VOTING TIME CHANGED**

Pursuant to Rule 20(c), the Speaker directs the time for voting changed from 5 seconds to 10 seconds.

### **CALENDAR (continued)**

**H.B. 1230**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CONTROLLED SUBSTANCE ANALOGUE, IF INTENDED FOR HUMAN CONSUMPTION, SHALL BE TREATED AS A SCHEDULE I CONTROLLED SUBSTANCE FOR THE PURPOSES OF ANY STATE LAW, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CORRUGATED CARDBOARD, CLEAN WOOD WASTE, AND WOODEN PALLETS IN LANDFILLS.

On motion of Representative Hackney, the bill is temporarily displaced.

**H.B. 1160** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADMINISTRATIVE FLEXIBILITY TO SCHOOLS THAT ARE CLOSED DUE TO INCLEMENT WEATHER, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1215**, A BILL TO BE ENTITLED AN ACT TO EXTEND BY FIVE YEARS THE SUNSET REGARDING THE DISPOSAL OF DEMOLITION DEBRIS IN AN ON-SITE LANDFILL HAVING A DISPOSAL AREA OF ONE ACRE OR LESS, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1126** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF RESIDENCY FOR PERSONS ENGAGING IN THE SERVICE OF STATE GOVERNMENT, AND TO MAKE OTHER TECHNICAL CHANGES, passes its second reading, by electronic vote (111-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1289**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001.

On motion of the Chair, the bill is temporarily displaced.

**H.B. 1188** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW PROTECTION OF VOTER RECORDS IN CASE OF DOMESTIC ABUSE PROTECTIVE ORDERS, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.



The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1105**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO INSURANCE LAWS, passes its second reading, by electronic vote (114-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE FARM MACHINERY AGREEMENT LAW, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1001**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A PRIMARY CARE HOSPITAL TO REFLECT FEDERAL REQUIREMENTS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 3:55 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee and permanent subcommittee are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**H.B. 793**, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSES OF INDECENT BEHAVIOR BETWEEN MINORS FOR THE PURPOSE OF PRODUCING INDECENT PHOTOGRAPHS OR OTHER ELECTRONIC VISUAL MATERIALS AND DISSEMINATION OF INDECENT MATERIALS BY MINORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Insko, Chair, for the Permanent Subcommittee on Universities of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.B. 1279**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE RESIDENCY REQUIREMENT TO QUALIFY FOR IN-STATE TUITION FROM ONE YEAR TO THREE YEARS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1246** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, passes its second reading, by electronic vote (77-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, passes its second reading, by electronic vote (87-13), and there being no objection is read a third time.

On motion of Representative Davis, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1342** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TIME LIMITS FOR NOTIFICATION OF LEASED VEHICLE PARKING VIOLATIONS AND THE APPLICABILITY OF THE PRIMA FACIE RULE OF EVIDENCE, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, passes its second reading, by electronic vote (111-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 570** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE ADMINISTRATIVE RULE ENTITLED TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY WITH CERTAIN MODIFICATIONS, TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO INCORPORATE THESE MODIFICATIONS INTO A REVISED ADMINISTRATIVE RULE, AND TO DIRECT THE SOIL AND WATER CONSERVATION COMMISSION TO ADOPT STANDARD BEST

MANAGEMENT PRACTICES AND A NUTRIENT LOADING ACCOUNTING METHODOLOGY, passes its second reading, by electronic vote (114-1).

On motion of Representative Allen, the bill is temporarily displaced.

**H.B. 1087** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VOLUNTEER FILES MAINTAINED BY LOCAL BOARDS OF EDUCATION PRIVATE, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 716** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE LAW OF FIDUCIARIES AND DECEDENTS' ESTATES, passes its second reading, by electronic vote (113-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.J.R. 1016**, A JOINT RESOLUTION HONORING THE MEMORY OF GRADY HOWARD UPON THE FIFTIETH ANNIVERSARY OF THE TOWN OF SPRING LAKE, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1088**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMMON LAW DETERMINES WHETHER A DRIVER OF A TRUCK OR TRACTOR TRAILER OF AN INTERSTATE MOTOR CARRIER IS AN EMPLOYEE SUBJECT TO THE WORKERS' COMPENSATION ACT.

Representative Goodwin offers Amendment No. 1 which is adopted, by electronic vote (116-0).

The bill, as amended, passes its second reading by electronic vote (85-28), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1308** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DATE BY WHICH ONLY LOW-SULFUR GASOLINE MAY BE SOLD IN THE STATE AND TO AUTHORIZE THE GOVERNOR TO TEMPORARILY WAIVE STATE LOW-SULFUR GASOLINE STANDARDS IN FAVOR OF FEDERAL LOW-SULFUR GASOLINE STANDARDS IF THE GOVERNOR FINDS THAT ENFORCEMENT OF THE STATE STANDARDS WOULD HAVE A SIGNIFICANT ADVERSE IMPACT ON THE SUPPLY OR PRICE OF GASOLINE IN THE STATE, passes its second reading, by electronic vote (64-51).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 1253**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

#### **CALENDAR (continued)**

**H.B. 1117** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY HAS DISCRETION AS TO WHETHER TO SEEK THE DEATH PENALTY FOR A CAPITAL CASE, passes its second reading, by electronic vote (110-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1195**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR.

On motion of Representative Blue, the bill is temporarily displaced.

**H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS.

Representative Dockham moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Insurance.

The motion fails by electronic vote (53-63).

The bill passes its second reading, by electronic vote (71-44).

Representative C. Wilson objects to the third reading. The bill remains on the Calendar.

**H.B. 164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AUTOMOBILE INSURANCE PREMIUM DISCOUNTS FOR CERTAIN PERSONS WHO COMPLETE ACCIDENT PREVENTION COURSES, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE WILDLIFE RESOURCES COMMISSION TO ASSIST THE TOWN OF BILTMORE FOREST IN REDUCING ITS DEER POPULATION TO A MANAGEABLE LEVEL, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Creech withdraws his objection to the third reading of **H.B. 570** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE ADMINISTRATIVE RULE ENTITLED TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY WITH CERTAIN MODIFICATIONS, TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO INCORPORATE THESE MODIFICATIONS INTO A REVISED ADMINISTRATIVE RULE, AND TO DIRECT THE SOIL AND WATER CONSERVATION COMMISSION TO ADOPT STANDARD BEST MANAGEMENT PRACTICES AND A NUTRIENT LOADING ACCOUNTING METHODOLOGY.

The Chair states that the bill will remain on the Calendar.

**CALENDAR (continued)**

**H.B. 1192**, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE POLL CLOSING TIMES, passes its second reading, by electronic vote (101-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1004** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD ANSON COUNTY AND PAMLICO COUNTY TO THE MODEL TEACHER EDUCATION CONSORTIUM.

Representative Rogers moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

A division having been called, the motion to re-refer fails by electronic vote (55-60).

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

SPEAKER BLACK PRESIDING.

**H.B. 1147** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT A HOSPITAL TO TEMPORARILY INCREASE ITS

BED CAPACITY AFTER NOTIFYING THE DIVISION OF FACILITY SERVICES, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 831** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A GREATER ROLE FOR THE STATE BOARD OF ELECTIONS IN PERSONNEL DECISIONS CONCERNING COUNTY ELECTION DIRECTORS; TO ENHANCE THE CERTIFICATION PROGRAM FOR ELECTION OFFICIALS; TO REMOVE LIMITATIONS ON TWO PROVISIONS CONCERNING PRECINCTS; TO CHANGE THE LENGTH OF THE ONE-STOP VOTING PERIOD; TO ALLOW COUNTY BOARDS OF ELECTIONS, WITH STATE BOARD APPROVAL, TO USE OTHER ONE-STOP SITES INSTEAD OF THE COUNTY BOARD OFFICE; TO ALLOW LATER ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS; TO PROVIDE FOR ELECTRONIC TRANSFER OF VOTER REGISTRATION APPLICATIONS FROM THE DIVISION OF MOTOR VEHICLES; TO UPDATE THE STATUTES CONCERNING VOTER REGISTRATION LIST MAINTENANCE; TO APPLY THE WRITE-IN STATUTE TO SUPERIOR COURT JUDGE ELECTIONS; TO CORRECT A REFERENCE IN THE CAMPAIGN FINANCE LAW; AND TO RENAME THE EXECUTIVE SECRETARY-DIRECTOR OF THE STATE BOARD OF ELECTIONS THE "EXECUTIVE DIRECTOR".

On motion of the Chair, the bill is temporarily displaced.

**H.B. 1048** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL NOT MANDATE ADDITIONAL COVERAGE BEYOND WHAT IS REQUIRED AS OF DECEMBER 31, 2001, WITH CERTAIN EXCEPTION; AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF HEALTH INSURANCE MANDATES.

Representative Cox requests that he be excused from voting on this bill to avoid the appearance of a conflict of interest, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (94-21), and there being no objection is read a third time.



The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1046** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ACCURACY AND UNDERSTANDABILITY OF PRECINCT DATA.

On motion of the Chair, the House recesses at 6:40 p.m.

### RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 1068** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### CALENDAR (continued)

**H.B. 1046** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ACCURACY AND UNDERSTANDABILITY OF PRECINCT DATA, passes its second reading, by electronic vote (93-16), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 831** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A GREATER ROLE FOR THE STATE BOARD OF ELECTIONS IN PERSONNEL DECISIONS CONCERNING COUNTY

ELECTION DIRECTORS; TO ENHANCE THE CERTIFICATION PROGRAM FOR ELECTION OFFICIALS; TO REMOVE LIMITATIONS ON TWO PROVISIONS CONCERNING PRECINCTS; TO CHANGE THE LENGTH OF THE ONE-STOP VOTING PERIOD; TO ALLOW COUNTY BOARDS OF ELECTIONS, WITH STATE BOARD APPROVAL, TO USE OTHER ONE-STOP SITES INSTEAD OF THE COUNTY BOARD OFFICE; TO ALLOW LATER ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS; TO PROVIDE FOR ELECTRONIC TRANSFER OF VOTER REGISTRATION APPLICATIONS FROM THE DIVISION OF MOTOR VEHICLES; TO UPDATE THE STATUTES CONCERNING VOTER REGISTRATION LIST MAINTENANCE; TO APPLY THE WRITE-IN STATUTE TO SUPERIOR COURT JUDGE ELECTIONS; TO CORRECT A REFERENCE IN THE CAMPAIGN FINANCE LAW; AND TO RENAME THE EXECUTIVE SECRETARY-DIRECTOR OF THE STATE BOARD OF ELECTIONS THE "EXECUTIVE DIRECTOR", which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (71-38), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (68-40), and is ordered sent to the Senate by Special Message.

**H.B. 1006**, A BILL TO BE ENTITLED AN ACT TO AMEND ENVIRONMENTAL REPORTING REQUIREMENTS, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 338** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (108-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 514** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE PUBLIC'S RIGHT TO KNOW DETAILS OF CLOSED MEETINGS AFTER THE JUSTIFICATION FOR WITH-HOLDING DETAILS HAS PASSED BY ADDING TO THE OPEN MEETINGS LAW A REQUIREMENT TO MAKE RECORDINGS OF ALL CLOSED MEETINGS.

Representative Sutton moves that the bill be withdrawn from the Calendar and placed on the Calendar of April 26.

The motion fails by electronic vote (43-69).

Representative Sherrill states that her voting equipment malfunctioned and she requests to be recorded as voting "no". This request is granted. The adjusted vote total is (43-70).

The bill fails to pass its second reading by electronic vote (54-63).

**H.B. 599** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE PRESIDING.

The bill passes its second reading, by electronic vote (76-36).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

**H.B. 570** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE ADMINISTRATIVE RULE ENTITLED TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY WITH CERTAIN MODIFICATIONS, TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO INCORPORATE THESE MODIFICATIONS INTO A REVISED ADMINISTRATIVE RULE, AND TO DIRECT THE SOIL AND WATER CONSERVATION COMMISSION TO ADOPT STANDARD BEST MANAGEMENT PRACTICES AND A NUTRIENT LOADING ACCOUNTING METHODOLOGY, which was temporarily displaced, is before the Body.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPEAKER BLACK PRESIDING.

**H.B. 1317** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN RESTRICTIVE COVENANTS DO NOT APPLY TO LICENSED FAMILY CHILD CARE HOMES.

Representative Holmes requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Pope, the bill is withdrawn from the Calendar, by electronic vote (77-37), and re-referred to the Committee on Judiciary II.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 320** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE STORAGE OF FIRE-ARMS TO PROTECT MINORS.

The bill fails to pass its second reading, by electronic vote (33-83).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 622**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY DECLARE THAT THE LAWFUL DESIGN,

April 25, 2001

MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS NOT AN UNREASONABLY DANGEROUS ACTIVITY AND DOES NOT CONSTITUTE A NUISANCE PER SE; TO PROVIDE THAT THE AUTHORITY TO BRING SUIT AGAINST ANY FIREARM OR AMMUNITION MARKETER, MANUFACTURER, DISTRIBUTOR, DEALER, SELLER, OR TRADE ASSOCIATION BY OR ON BEHALF OF ANY GOVERNMENTAL UNIT FOR REMEDIES RESULTING FROM OR RELATED TO THE LAWFUL DESIGN, MARKETING, MANUFACTURE, DISTRIBUTION, SALE, OR TRANSFER OF FIREARMS OR AMMUNITION TO THE PUBLIC IS RESERVED EXCLUSIVELY TO THE STATE; AND TO PROVIDE THAT ANY SUCH ACTION SHALL BE BROUGHT BY THE ATTORNEY GENERAL ON BEHALF OF THE STATE, passes its second reading, by electronic vote (101-16), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, **H.B. 1189**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR, is withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Finance Reform.

On motion of Representative Culpepper and without objection, **H.B. 1253** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER THE DEFINITION OF UNDERINSURED HIGHWAY VEHICLE SHOULD BE AMENDED TO PROVIDE GREATER PROTECTION TO CONSUMERS INJURED IN MOTOR VEHICLE ACCIDENTS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 38(a), the Chair withdraws **H.B. 140** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FAIR AND RELIABLE IMPOSITION OF CAPITAL SENTENCES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, from the Calendar and re-refers it to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 9:00 p.m. to reconvene April 26 at 9:00 a.m.

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## FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, April 26, 2001

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Leading Lord, as the burden of the business at hand weighs our spirits down, restore our souls. As we walk through our work today, lead us along the paths of Your righteousness. When we feel overburdened or just plain exhausted, teach us to lay down in the green pastures of Your presence and drink from the living water of Your Spirit. May Your grace go before us and Your goodness and mercy follow us. With a sense of Your presence here among us, may we know we dwell in Your care forever. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Davis, and Hunter for today. Representatives Bonner, McAllister, McComas, and Sherrill are excused for a portion of the session.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nye and Barefoot:

**H.B. 1380**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE CREATION OF MEDICAL CHILD CARE CENTERS AND TO APPROPRIATE FUNDS FOR THIS PURPOSE, is referred to the Committee on Appropriations.

By Representative Culpepper:

**H.B. 1381**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN LOCAL GOVERNMENTS UPSTREAM OF THE COASTAL AREA TO DEVELOP AND IMPLEMENT WATER QUALITY MANAGEMENT PLANS, TO INCLUDE THE DEVELOPMENT OF WATER QUALITY MANAGEMENT PLANS AS A PURPOSE FOR WHICH CLEAN WATER MANAGEMENT TRUST FUND GRANTS MAY BE AWARDED, AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, is referred to the Committee on Environment and Natural Resources.

By Representative Baddour:

**H.B. 1382**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS, is referred to the Committee on Military, Veterans and Indian Affairs.

By Representatives Allen and Owens:

**H.B. 1383**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS, is referred to the Committee on Finance.

By Representatives Allen and Owens:

**H.B. 1384**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM ONE BILLION FIVE HUNDRED MILLION DOLLARS TO THREE BILLION DOLLARS, is referred to the Committee on Finance.

By Representatives Baddour and Blue:

**H.B. 1385**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE NORTH CAROLINA PROGRESS BOARD, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Warner, Bonner, McLawhorn, and Rogers (Primary Sponsors); Baddour, Barefoot, Bell, Boyd-McIntyre, J. Crawford, Earle, Fox, Gulley, Hall, Hurley, Jarrell, Jeffus, Lucas, Oldham, Owens, Saunders, Sexton, Sutton, Tolson, Walker, West, and Yongue:

**H.B. 1386**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SALARIES OF COMMUNITY COLLEGE FACULTY MEMBERS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nesbitt and M. Crawford:

**H.B. 1387**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECTS LOCATED IN BUNCOMBE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hurley, McComas, Preston, Redwine, and Smith:

**H.B. 1388**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE STATE PORTS TAX CREDITS AND TO EXCLUDE WOOD CHIPS FROM THE STATE PORTS TAX CREDITS, is referred to the Committee on Finance.

By Representatives Hurley, Cunningham, Lucas, McAllister, Morris, and Warner:

**H.B. 1389**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE, is referred to the Committee on Military, Veterans and Indian Affairs and, if favorable, to the Committee on Finance.

By Representative Nesbitt:

**H.B. 1390**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWAL SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Miller, Bell, Hunter, Lucas, Luebke, Michaux, Oldham, Wainwright, and Womble:

**H.B. 1391**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SHALL RECEIVE LESS IN STATE FUNDING FOR THE ENROLLMENT OF FULL-TIME EQUIVALENT STUDENTS THAN WAS RECEIVED BY THE CONSTITUENT INSTITUTION FOR THE PRIOR FISCAL YEAR, is referred to the Committee on Appropriations.



By Representatives Miller, Bell, Hunter, Lucas, Luebke, Michaux, Oldham, Wainwright, and Womble:

**H.B. 1392**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE 2001-2002 FISCAL YEAR TO THE BOARD OF GOVERNORS FOR NEED-BASED FINANCIAL AID SHALL BE ALLOCATED ONLY TO CONSTITUENT INSTITUTIONS THAT ARE NOT RESEARCH INSTITUTES, is referred to the Committee on Appropriations.

By Representative Miller:

**H.B. 1393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND ACQUISITION OF TRAFFIC SIMULATION SOFTWARE, is referred to the Committee on Appropriations.

By Representative Miller:

**H.B. 1394**, A BILL TO BE ENTITLED AN ACT ALLOWING FLEXIBILITY IN THE FUNDING OF INFORMATION TECHNOLOGY POSITIONS IN STATE GOVERNMENT; CREATING THE INFORMATION TECHNOLOGY EMPLOYEE RESERVE FUND; AND APPROPRIATING FUNDS TO THE RESERVE FUND, is referred to the Committee on Appropriations.

By Representatives Fox, Nesbitt and Weiss (Primary Sponsors); Blue and M. Crawford:

**H.B. 1395**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO PROVIDE HOLOCAUST EDUCATION IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representative Michaux:

**H.B. 1396**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FEE FOR CERTIFICATES OF EXISTENCE AND AUTHORIZATION FOR CORPORATIONS, NONPROFIT CORPORATIONS, AND LIMITED LIABILITY COMPANIES AND TO PROVIDE FOR CERTIFICATES OF EXISTENCE, CERTIFICATES OF AUTHORIZATION, AND FEES FOR THOSE CERTIFICATES FOR LIMITED LIABILITY PARTNERSHIPS AND LIMITED PARTNERSHIPS, is referred to the Committee on Finance.

By Representatives Goodwin and Miner (Primary Sponsors):

**H.B. 1397**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, is referred to the Committee on Finance.

By Representative McComas:

**H.B. 1398**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LOWER CAPE FEAR RIVER PROGRAM, is referred to the Committee on Appropriations.

By Representative McComas:

**H.B. 1399**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO SUPPORT INTERNATIONAL TRADE EDUCATION PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES IN THE STATE, is referred to the Committee on Appropriations.

By Representatives Rayfield and Barefoot:

**H.B. 1400**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPITAL AND OPERATIONAL COSTS OF ESTABLISHING THE MOUNTAIN ISLAND EDUCATIONAL STATE FOREST TO BE LOCATED IN LINCOLN AND GASTON COUNTIES, is referred to the Committee on Appropriations.

By Representatives Adams, Clary, Cunningham, Hall, Hill, Howard, Hunter, Johnson, McComas, Teague, Weatherly, and West:

**H.B. 1401**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF INDIVIDUAL DEVELOPMENT ACCOUNTS, is referred to the Committee on Appropriations.

By Representatives Jeffus, Barefoot, Boyd-McIntyre, Buchanan, Cox, Dedmon, Easterling, Edwards, Smith, Tucker, Weiss, and Wright:

**H.B. 1402**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSES, AND STALKING AND

TO APPROPRIATE FUNDS FOR THAT PURPOSE, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Appropriations.

By Representatives Nesbitt and M. Crawford:

**H.B. 1403**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROJECTS LOCATED IN BUNCOMBE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and McComas (Primary Sponsors):

**H.B. 1404**, A BILL TO BE ENTITLED AN ACT TO FUND A POSITION IN THE BROWNFIELDS PROGRAM TO FACILITATE AND EXPEDITE THE CLEANUP AND REUSE OF CONTAMINATED AND ABANDONED PROPERTIES THROUGHOUT THE STATE OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Wright, Adams, Bell, Blue, Bonner, Boyd-McIntyre, Cunningham, Earle, Fitch, Fox, Haire, Hall, Hunter, Lucas, Luebke, McAllister, Michaux, Miller, Oldham, Wainwright, and Womble:

**H.B. 1405**, A BILL TO BE ENTITLED AN ACT FINDING THAT A PUBLIC HEALTH EMERGENCY EXISTS IN NORTH CAROLINA IN REGARDS TO HIV/AIDS; INCREASING THE INCOME ELIGIBILITY CAP OF THE AIDS DRUG ASSISTANCE PROGRAM; INCREASING FUNDING FOR HIV/AIDS PREVENTION EFFORTS; AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY PROGRAMS RELATING TO HIV/AIDS PREVENTION AND CARE, is referred to the Committee on Health.

By Representative Wright:

**H.B. 1406**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PUBLIC HEALTH IMPROVEMENT DEMONSTRATION PROJECT IN TIER ONE COUNTIES, is referred to the Committee on Appropriations.

By Representatives Earle, Alexander, Baddour, Barefoot, Bell, Bonner, Fox, Gibson, Gulley, Hackney, Hall, Insko, Jarrell, Lucas, Luebke, McLawhorn, Michaux, Rogers, Saunders, Sutton, Tolson, Walker, Warner, Warren, West, and Yongue:

**H.B. 1407**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE PRESCRIPTION DRUG ACCESS PROGRAM, is referred to the Committee on Appropriations.

By Representative Goodwin:

**H.B. 1408**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE ALLOCATION TO EACH VETERANS AFFAIRS OFFICE IN THE STATE, is referred to the Committee on Appropriations.

By Representatives Goodwin and Baddour (Primary Sponsors):

**H.B. 1409**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A PRIVILEGE LICENSE ON VIDEO GAMING MACHINES TO RECOVER THE COSTS OF THE REGISTRATION PROCESS AND THE COST OF ENFORCEMENT OF THE VIDEO GAMING STATUTES, SO AS TO MAKE THE REGISTRATION AND ENFORCEMENT SELF-SUPPORTING, is referred to the Committee on Finance.

By Representatives Alexander, Earle, Goodwin, and Nesbitt (Primary Sponsors); Adams, Allen, Barefoot, Bell, Blue, Bonner, Church, Coates, Cole, Culpepper, Cunningham, Easterling, Edwards, Fitch, Gulley, Hackney, Hall, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, Michaux, Miller, Oldham, Preston, Redwine, Rogers, Russell, Saunders, Smith, Tolson, Underhill, Wainwright, Walker, Warner, Warren, Weiss, Womble, Wright, and Yongue:

**H.B. 1410**, A BILL TO BE ENTITLED AN ACT TO PHASE IN A VOLUNTARY PROGRAM THAT GIVES CANDIDATES FOR CERTAIN ELECTIVE OFFICES THE OPTION OF CHOOSING TO FINANCE THEIR CAMPAIGNS FROM A PUBLICLY SUPPORTED FUND, PROVIDED THAT THEY GAIN AUTHORIZATION TO DO SO FROM REGISTERED VOTERS AND THAT THEY ABIDE BY FUND-RAISING AND SPENDING LIMITS, is referred to the Committee on Election Law and Campaign Finance Reform.

By Representatives Tolson and Barefoot:

**H.B. 1411**, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES TO INCREASE THE USE OF ALTERNATIVE FUEL VEHICLES IN PRIVATELY OWNED FLEETS, is referred to the Committee on Finance.

By Representatives Luebke and Insko:

**H.B. 1412**, A BILL TO BE ENTITLED AN ACT TO DECREASE THE AID TO PRIVATE INSTITUTIONS FOR A STUDENT WHO IS, OR CAN BE CLAIMED AS A DEPENDENT BY, AN UPPER TAX BRACKET TAXPAYER, is referred to the Committee on Appropriations.

By Representative Luebke:

**H.B. 1413**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A STUDENT WHO IS, OR CAN BE CLAIMED AS A DEPENDENT BY, AN UPPER TAX BRACKET TAXPAYER SHALL PAY TUITION TO ATTEND THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS OR THE NORTH CAROLINA SCHOOL OF THE ARTS, is referred to the Committee on Appropriations.

By Representative Goodwin:

**H.B. 1414**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COUNTY OF RICHMOND FOR THE PURCHASE AND DEMOLITION OF THE IMPERIAL FOODS PLANT IN HAMLET, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Boyd-McIntyre and Barefoot:

**H.B. 1415**, A BILL TO BE ENTITLED AN ACT TO PLACE SCHOOL COUNSELORS ON THE SAME SALARY SCHEDULE AS SCHOOL PSYCHOLOGISTS, is referred to the Committee on Appropriations.

By Representative Daughtry:

**H.B. 1416**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO STUDY THE LAWS AND PUBLIC POLICIES REGARDING THE TREATMENT OF RAPE VICTIMS AND HEALTH CARE WORKERS WHO RISK HIV INFECTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Insko and Luebke (Primary Sponsors):

**H.B. 1417**, A BILL TO BE ENTITLED AN ACT TO CREATE A STATE-EARNED INCOME TAX CREDIT AND OFFSET THE COSTS

OF THAT CREDIT BY INCREASING THE MARGINAL TAX RATE ON THE HIGHEST INDIVIDUAL INCOMES, is referred to the Committee on Finance.

By Representatives Wright, Blue, and Fitch (Primary Sponsors):

**H.B. 1418**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CENTRAL CHILDREN'S HOME OF NORTH CAROLINA, INC., is referred to the Committee on Appropriations.

By Representatives Wright and M. Crawford:

**H.B. 1419**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CAREER FIREFIGHTERS' AND RESCUE SQUAD WORKERS' BENEFITS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Carpenter:

**H.J.R. 1420**, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LAWS REGARDING DRUG OFFENSES AND THE SENTENCING GUIDELINES FOR THOSE OFFENSES AND TO APPROPRIATE FUNDS FOR THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Blue, Hackney, and Nesbitt (Primary Sponsors):

**H.B. 1421**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING COMPENSATION TO A PERSON FOR A WRONGFUL CONVICTION AND TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO REPORT ON THE ADMINISTRATION OF THE STATE'S CAPITAL PUNISHMENT LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

**H.B. 1422**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN ITEMS PURCHASED DURING THE FIRST WEEKEND OF AUGUST FROM THE SALES AND USE TAX AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Finance.

By Representative Nye:

**H.B. 1423**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF EXAMINERS FOR SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS TO INCREASE CERTAIN FEES, is referred to the Committee on Finance.

By Representative Allred:

**H.B. 1424**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RESTORE FISCAL RESPONSIBILITY TO THE STATE BUDGET PROCESS, is referred to the Committee on Appropriations.

### **SPECIAL MESSAGES FROM THE SENATE**

The following special messages are received from the Senate:

**S.B. 68** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT POWERS OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES FOR THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 347** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, is read the first time and referred to the Committee on Cultural Resources.

**S.B. 390**, A BILL TO BE ENTITLED AN ACT REQUIRING THE NORTH CAROLINA MEDICAL BOARD TO IMPLEMENT POLICIES TO TRAIN AND EDUCATE PERSONS LICENSED TO PRACTICE OR PERSONS DESIRING TO PRACTICE MEDICINE IN THIS STATE ON ISSUES RELATED TO PHYSICIAN-ASSISTED SUICIDE, is read the first time and referred to the Committee on Health.

**S.B. 461**, A BILL TO BE ENTITLED AN ACT TO MAKE THE NORTH CAROLINA INSURANCE INFORMATION AND PRIVACY

PROTECTION ACT COMPLY WITH THE CONSUMER INFORMATION PRIVACY REQUIREMENTS IN THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, is read the first time and referred to the Committee on Insurance.

**S.B. 499**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO ADOPTION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 589**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A 311 SYSTEM FOR NONEMERGENCY CALLS AND TO ALLOW THE MONEY IN THE EMERGENCY TELEPHONE SYSTEM FUND TO ALSO BE USED TO DEVELOP AND MAINTAIN THE 311 SYSTEM, is read the first time and referred to the Committee on Public Utilities.

**S.B. 633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BUILDING CODE PILOT PROGRAM FOR REHABILITATING EXISTING BUILDINGS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 716** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 721**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAITING PERIOD FOR COVERAGE UNDER THE NORTH CAROLINA HEALTH INSURANCE PROGRAM FOR CHILDREN (NORTH CAROLINA HEALTH CHOICE), is read the first time and referred to the Committee on Health.

**S.B. 723**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN DISCLOSURE AND WARNING STATEMENTS ON UNSOLICITED CHECKS THAT, WHEN CASHED BY THE RECIPIENTS, OBLIGATE THE RECIPIENTS TO REPAY THE AMOUNT OF THE CHECKS PLUS INTEREST AND FEES, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DRUG OFFENSES COMMITTED AT OR NEAR CHILD CARE CENTERS, is read the first time and referred to the Committee on Judiciary II.



**S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, is read the first time and referred to the Committee on Judiciary I.

**S.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR THE GOVERNOR TO APPOINT THE STATE CONTROLLER TO JUNE 15, 2001, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS, is read the first time and referred to the Committee on Insurance.

**S.B. 914** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO PUBLIC SCHOOL CONSTRUCTION PROJECTS, is read the first time and referred to the Committee on Education.

**S.B. 920**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL STATUTES OF THE STATE OF NORTH CAROLINA, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 961** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDED DRIVING WHILE LICENSE REVOKED FLEXIBILITY, is read the first time and referred to the Committee on Judiciary I.

**S.B. 966** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE BOARD OF EDUCATION AND BOARD OF GOVERNORS REPORTING REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT PROGRAMS, AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS REGARDING PROFESSIONAL DEVELOPMENT IN NORTH CAROLINA, is read the first time and referred to the Committee on Education.

## CALENDAR

Action is taken on the following:

April 26, 2001

Senate Committee Substitute for **H.B. 19** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CARTERET COUNTY AND THE TOWNS OF INDIAN BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH, AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

On motion of Representative Smith, the House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Baker, Eddins, and Gillespie - 3.

Excused absences: Representatives Adams, Davis, and Hunter - 3.

Senate Committee Substitute for **H.B. 77** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY THE CITY OF OXFORD AND THE TOWNS OF TROUTMAN, PEMBROKE, LOUISBURG, CATAWBA, AND MOCKSVILLE.

On motion of Representative Fox, the House concurs in the material Senate committee substitute, which changes the title, on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representative Barnhart.

Excused absences: Representatives Adams, Davis, and Hunter - 3.

**H.B. 804** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ANSON, CRAVEN, MCDOWELL, MONTGOMERY, AND PAMLICO COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Adams, Davis, and Hunter - 3.

**H.B. 744** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY WEST SIDE LAND-OWNERS ASSOCIATION, INC., IN MOORE COUNTY, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**S.B. 25** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Blue, Carpenter, Hensley, Nesbitt, and Walker - 5.

Excused absences: Representatives Adams, Davis, and Hunter - 3.

**H.B. 599** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONSUMER FINANCE ACT TO INCREASE THE AMOUNT OF LOANABLE ASSETS REQUIRED BEFORE AN

ENTITY IS LICENSED TO ENGAGE IN BUSINESS IN THE STATE, TO REVISE THE AMOUNT OF, AND MAXIMUM RATE OF INTEREST FOR, SMALL LOANS, TO REVISE THE COLLECTION OF INTEREST UNDER CERTAIN CIRCUMSTANCES, TO ESTABLISH A LOAN PROCESSING FEE, TO ALLOW LENDERS TO CHARGE A LATE PAYMENT PENALTY UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE DISCLOSURE ON SOLICITATION OF LOANS BY FACSIMILE OR NEGOTIABLE CHECKS, TO ALLOW LENDERS TO MAINTAIN CERTAIN RECORDS IN THE FORM OF OPTICAL IMAGE DISKS, TO REPEAL OBSOLETE PROVISIONS OF THE GENERAL STATUTES, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its third reading, by electronic vote (81-33), and is ordered sent to the Senate by Special Message.

**H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS.

Representative Russell offers Amendment No. 1 which fails of adoption by electronic vote (49-63).

Representative Gray moves that the bill be temporarily displaced.

Representative Nye objects to the motion.

Representative Nye withdraws his objection.

The bill is temporarily displaced.

**H.B. 1308** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DATE BY WHICH ONLY LOW-SULFUR GASOLINE MAY BE SOLD IN THE STATE AND TO AUTHORIZE THE GOVERNOR TO TEMPORARILY WAIVE STATE LOW-SULFUR GASOLINE STANDARDS IN FAVOR OF FEDERAL LOW-SULFUR GASOLINE STANDARDS IF THE GOVERNOR FINDS THAT ENFORCEMENT OF THE STATE STANDARDS WOULD HAVE A SIGNIFICANT ADVERSE IMPACT ON THE SUPPLY OR PRICE OF GASOLINE IN THE STATE.

On motion of Representative Gibson, the bill is temporarily displaced.

**H.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, passes its third reading, by electronic vote (91-20), and is ordered sent to the Senate by Special Message.

Representative Creech requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (92-20).

**H.B. 1120**, A BILL TO BE ENTITLED AN ACT TO REQUIRE INEXPERIENCED DRIVERS TO MAINTAIN FINANCIAL RESPONSIBILITY CONTINUOUSLY AND INSURANCE COMPANIES TO TRANSMIT INFORMATION REGARDING FINANCIAL RESPONSIBILITY OF DRIVERS TO THE DIVISION OF MOTOR VEHICLES IN AN ELECTRONIC FORM, passes its second reading, by electronic vote (106-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1195**, A BILL TO BE ENTITLED AN ACT TO GIVE ILL AND DISABLED CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REQUEST ABSENTEE BALLOTS FOR AN ENTIRE CALENDAR YEAR.

Representative Capps offers Amendment No. 1 which is adopted by electronic vote (112-1).

The bill, as amended, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 842**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN.

Representative Luebke moves that the bill be temporarily displaced.

A division having been called, the motion to temporarily displace the bill fails to pass by electronic vote (51-58).

Representative Edwards requests and is granted permission to be recorded as voting "no". The adjusted vote total is (51-59).

The bill passes its second reading by electronic vote (101-9).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Representative Allred moves that the rules be suspended in order that third reading might be held today.

Representative Allred withdraws his motion.

SPEAKER BLACK PRESIDING.

**H.B. 460** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A MEMORIAL MARKER PROGRAM FOR PERSONS KILLED AS A RESULT OF ACCIDENTS INVOLVING IMPAIRED DRIVING.

Representative Hensley offers Amendment No. 1.

On motion of Representative Ellis, the bill with pending Amendment No. 1, is temporarily displaced.

**H.B. 1063** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PERFORMANCE-BASED CLEANUPS OF DISCHARGES OR RELEASES OF PETROLEUM FROM UNDERGROUND STORAGE TANKS.

Representative Redwine offers Amendment No. 1 which is adopted by electronic vote (105-0).

Representatives Hill and Jarrell request and are granted permission to be recorded as voting "aye". The adjusted vote total is (107-0).

The bill, as amended, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1068** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **WITHDRAWAL OF OBJECTION TO THIRD READING**

Representative Luebke withdraws his objection to the third reading of **H.B. 842**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **CALENDAR (continued)**

**H.B. 1232**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE HEALTH AND WELLNESS TRUST FUND COMMISSION TO ENDEAVOR TO FUND PROGRAMS AND INITIATIVES TO EXPAND ACCESS TO PRESCRIPTION DRUGS FOR SENIORS.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

Representative Harrington offers Amendment No. 1.



Representative Redwine inquires of the Chair if the amendment is germane to the title. The Chair states that the amendment is in order.

SPEAKER BLACK PRESIDING.

Amendment No. 1 is adopted by electronic vote (111-2).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1266**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF REGISTERED NURSE FIRST ASSISTANTS UNDER HEALTH INSURANCE POLICIES AND PLANS.

Representative Michaux inquires of the Chair, if the bill affects the State Health Plan, would the bill need to go to Appropriations?

On motion of the Chair and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 983**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OWNERS OF LAND ASSOCIATED WITH WATERSHED IMPROVEMENT PROJECTS HAVE LIMITED LIABILITY WITH REGARD TO CERTAIN MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1085**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DE NOVO APPEALS TO THE SUPERIOR COURT FROM A DISTRICT COURT JUDGE'S REVOCATION OF PROBATION OR IMPOSITION OF SPECIAL PROBATION.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (84-26).

The bill, as amended, passes its second reading, by electronic vote (69-41), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (72-39), and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1184** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE THRESHOLD FOR A STATEWIDE SECOND PRIMARY TO TWENTY-FIVE PERCENT.

Representative Shubert offers an amendment.

On motion of the Chair, the bill and amendment are temporarily displaced.

The Speaker stops debate and attends to the following business.

### **GUESTS**

The Speaker appoints Representatives Michaux, Luebke, Miller, Edwards, Blue, Esposito, Shubert, Smith, and Pope as escorts for the 2001 NCAA Basketball Championship Team from Duke University in Durham, North Carolina.

The following proclamation by the Governor is read.

### **STATE OF NORTH CAROLINA**

MICHAEL F. EASLEY  
Governor

### **DUKE BLUE DEVILS APPRECIATION DAY**

**2001**

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

### **A PROCLAMATION**

WHEREAS, on March 2, 1906, the first collegiate basketball game in the State of North Carolina was played between Trinity College (now Duke University) and Wake Forest. Although Trinity College lost that initial game, the sport had made an indelible mark; and

April 26, 2001

WHEREAS, ninety-five seasons later, Duke University basketball is revered. Students camp out for days in “Kryzewskiville” and then become the Cameron Crazies - the team’s very important “sixth man.” The 2000-2001 season posted the following accomplishments:

- Won the TiVo Preseason NIT championship
- Posted a 13-3 Atlantic Coast Conference record
- Won its third consecutive ACC Tournament Championship
- Advanced to the Final Four for the ninth time since 1986, more than any other school in the Nation
- Won the school’s third NCAA championship in the past 11 years
- Posted a 35-4 overall record; and

WHEREAS, the 2000-2001 Duke Blue Devils are comprised of:

Shane Battier	Nick Horvath
Carlos Boozer	Nate James
Andy Borman	Dahntay Jones
Andre Buckner	Reggie Love
Ryan Caldbeck	Casey Sanders
Matt Christensen	J. D. Simpson
Chris Duhon	Andre Sweet
Mike Dunleavy	Jason Williams

Head Coach: Mike Krzyzewski  
 Associate Head Coach: Johnny Dawkins  
 Assistant Coach: Steve Wojciechowski  
 Assistant Coach: Chris Collins

WHEREAS, the Duke University Blue Devils have one of the most prestigious programs in all of college athletics and the accomplishments of this year’s team have the respect and pride of all North Carolinians;

NOW, THEREFORE, I, MICHAEL F. EASLEY, Governor of the State of North Carolina, do hereby proclaim Thursday, April 26, 2001, as "DUKE BLUE DEVILS APPRECIATION DAY" in North Carolina, and urge our citizens to support this observance.

S/ MICHAEL F. EASLEY

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this twenty-fifth day of April in the year of our Lord two thousand and one, and

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of the Independence of the United States of America the two hundred and twenty-fifth.

Representative Edwards introduces Coach Mike Krzyzewski who makes brief remarks and introduces the following players and staff to the Body.

Nate James

J. D. Simpson

Ryan Caldbeck

Casey Sanders

Head Coach: Mike Krzyzewski

Associate Head Coach: Johnny Dawkins

Assistant Coach: Steve Wojciechowski

Assistant Coach: Chris Collins

Legacy Fund Director: Mike Cragg

Administrative Assistant to Team: Mike Schrage

Division of Operations: Jeff La Mere

The Coach and team are escorted from the Chamber.

On motion of the Chair, the House recesses, pursuant to the receipt of messages, at 12:33 p.m.

## RECESS

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 70**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF TWO PRESIDENTIAL ELECTORS AT LARGE AND ONE FROM EACH CONGRESSIONAL DISTRICT, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 93** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NORTH CAROLINA COURT OF APPEALS TO CONDUCT EN BANC PROCEEDINGS, is read the first time and referred to the Committee on Judiciary II.

**S.B. 94** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CONSTITUTIONAL AMENDMENTS PROVIDING FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY AND FOR SESSION LENGTH LIMITS BY MAKING

April 26, 2001

NECESSARY STATUTORY CHANGES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 104** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY AND TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 109** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUEST THE NORTH CAROLINA SUPREME COURT TO ADOPT RULES ESTABLISHING MINIMUM STANDARDS FOR DEFENSE ATTORNEYS, PROSECUTORS, AND JUDGES HANDLING CAPITAL CASES, is read the first time and referred to the Committee on Judiciary I.

**S.B. 269** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF INVESTMENT ADVISER REPRESENTATIVE; TO ALLOW MULTIPLE REGISTRATION OF INVESTMENT ADVISER REPRESENTATIVES FOR CERTAIN PURPOSES; AND TO REVISE THE REGISTRATION AND NOTICE FILING PROCEDURES, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, is read the first time and referred to the Committee on Insurance.

**S.B. 321** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION LAW APPLIES TO ALL ENTITIES SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER, is read the first time and referred to the Committee on Insurance.

**S.B. 465** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DISCHARGE A FIRE-ARM INTO AN UNOCCUPIED BUILDING, VEHICLE, OR OTHER ENCLOSURE, is read the first time and referred to the Committee on Judiciary III.

**S.B. 708**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

**S.B. 729**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTORCYCLE INSURANCE RATES ARE SET IN ACCORDANCE WITH THE LAW REGULATING INSURANCE RATES RATHER THAN ESTABLISHED BY THE NORTH CAROLINA RATE BUREAU, is read the first time and referred to the Committee on Insurance.

**S.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, is read the first time and referred to the Committee on Judiciary I.

**S.B. 780** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE METHOD BY WHICH PHYSICIANS' LIENS ARE PERFECTED AND THE DUTIES OF ATTORNEYS WITH RESPECT TO PHYSICIANS' LIENS, is read the first time and referred to the Committee on Judiciary II.

**S.B. 787** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR GUBERNATORIAL APPOINTMENT OF JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS SUBJECT TO CONFIRMATION BY THE GENERAL ASSEMBLY AND TO PROVIDE FOR RETENTION BY VOTE OF THE PEOPLE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 795** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 78B OF THE GENERAL STATUTES, THE TENDER OFFER DISCLOSURES ACT, AND TO AMEND CHAPTER 78A OF THE GENERAL STATUTES, THE NORTH CAROLINA SECURITIES ACT, AND TO CLARIFY THAT THE ACT APPLIES TO BUSINESS FORMS IN ADDITION TO CORPORATIONS, is read the first time and referred to the Committee on Ways and Means.

**S.B. 803**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE UNIVERSITY SYSTEM, THE COMMUNITY COLLEGES SYSTEM, AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO WORK COOPERATIVELY TO EXPAND OPPORTUNITIES FOR MILITARY PERSONNEL TO TAKE TEACHER EDUCATION CLASSES PRIOR TO DISCHARGE FROM THE MILITARY, is read the first time and referred to the Committee on Education.

**S.B. 833** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT ILLEGAL TO POSSESS ANY FORM OF FALSE IDENTIFICATION WHILE ATTEMPTING TO OBTAIN ALCOHOLIC BEVERAGES WHEN UNDERAGE, is read the first time and referred to the Committee on Judiciary III.

**S.B. 848**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PUBLIC LIVESTOCK MARKETS WITHIN THE DEFINITION OF ANIMAL OPERATIONS FOR THE PURPOSE OF REGULATING THE ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE THESE MARKETS, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 876**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ATTENDANCE AT A DAY REPORTING CENTER BE A LEVEL ONE DISPOSITION FOR DELINQUENT JUVENILES, is read the first time and referred to the Committee on Children, Youth and Families.

**S.B. 895** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA GEOGRAPHIC INFORMATION COORDINATING COUNCIL, is read the first time and referred to the Committee on State Government.

**S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT TO REFUSE TO INDEX, DOCKET, OR RECORD FRAUDULENT CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING FALSE STATUTORY LIENS, is read the first time and referred to the Committee on Judiciary II.

**S.B. 931** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDGE TO CONDUCT OVERSIGHT OF THE DISCOVERY PROCESS IN A CAPITAL CASE TO ENSURE COMPLIANCE WITH CONSTITUTIONAL AND STATUTORY LAW, is read the first time and referred to the Committee on Judiciary I.

**S.B. 955**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ENVIRONMENTAL REMEDIATION AND RESTORATION ACTIVITIES ARE NOT STATE CAPITAL IMPROVEMENT PROJECTS, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1070** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A DISPUTE RESOLUTION PROCEDURE TO ASSIST THE OFFICE OF INFORMATION TECHNOLOGY IN THE COLLECTION OF FEES RELATED TO INFORMATION TECHNOLOGY SERVICES PROVIDED BY THE OFFICE, is read the first time and referred to the Committee on Science and Technology.

The House reconvenes pursuant to recess and is called to order by the Speaker Pro Tempore.

### ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 19**, AN ACT TO ALLOW CAROLINA BEACH, CARTERET COUNTY, DARE COUNTY, AND THE TOWNS OF INDIAN BEACH, KILL DEVIL HILLS, KITTY HAWK, KURE BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH, AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS.

**H.B. 77**, AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY VARIOUS MUNICIPALITIES.

**H.B. 569**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA.

**H.B. 633**, AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS.



**CALENDAR (continued)**

**H.B. 948** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE LAW REGARDING THE DEFINITION OF "SPECIAL ABC AREA".

Representative Carpenter offers Amendment No. 1 which is adopted by electronic vote (89-8).

The bill, as amended, passes its second reading, by electronic vote (61-46), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1184** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE THE THRESHOLD FOR A STATEWIDE SECOND PRIMARY TO TWENTY-FIVE PERCENT, which was temporarily displaced, is before the Body.

Representative Shubert withdraws her amendment that was temporarily displaced.

The bill passes its second reading, by electronic vote (80-34), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1109**, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S LAWS PERTAINING TO ACCESS TO EYE CARE PROVIDERS, which was temporarily displaced, is before the Body.

Representative Gray offers Amendment No. 2 which is adopted by electronic vote (108-2).

Representative Shubert offers Amendment No. 3 which is adopted by electronic vote (113-0).

The bill, as amended, passes its third reading, by electronic vote (88-26), and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE SPONSOR OR INITIATOR OF A PERSUASIVE POLL.

Representative Arnold offers Amendment No. 1.

On motion of Representative Allred, the bill with pending amendment is temporarily displaced.

**H.B. 1289**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001.

On motion of Representative Boyd-McIntyre, the bill is withdrawn from the Calendar, by electronic vote (108-0), and re-referred to the Committee on Education.

SPEAKER BLACK PRESIDING.

**H.B. 1041** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH, passes its second reading, by electronic vote (67-46), and there being no objection is read a third time.

Representative Culp requests and is granted permission to be recorded as voting "no". The adjusted vote total is (67-47).

The bill passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

#### WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 38(a), the Chair withdraws **H.B. 1158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CORRUGATED CARDBOARD, CLEAN WOOD WASTE, AND WOODEN PALLETS IN LANDFILLS, from the Calendar and re-refers it to the Committee on Appropriations.

#### CALENDAR (continued)

**H.B. 1186** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CIVILIANS THE SAME RIGHT AS MILITARY PERSONNEL TO REGISTER TO VOTE BY FAX, passes its second reading, by electronic vote (90-15), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative McComas, and without objection, **H.B. 1269**, A BILL TO BE ENTITLED AN ACT REGARDING AIRPORT FEES AND CHARGE FOR RENTAL CARS, is moved up on today's Calendar.

On motion of Representative McComas, Committee Amendment No. 1 is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by electronic vote (105-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 494**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR UNLAWFULLY CARRYING A CONCEALED WEAPON, passes its second reading, by electronic vote (89-18), and there being no objection is read a third time.

Representative Creech states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (90-18).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND DEED RECORDATION.

The bill, as amended, passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1284** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION THAT COURT RECORDS FOR CIVIL AND ADMINISTRATIVE CASES ARE OPEN, TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO SEAL A COURT RECORD, TO ESTABLISH A PRESUMPTION THAT THE HEARINGS, PROCEEDINGS, AND TRIALS FOR CIVIL AND ADMINISTRATIVE CASES ARE OPEN, AND TO PROVIDE THE PROCEDURE TO OBTAIN

AN ORDER TO CONDUCT A CLOSED HEARING, PROCEEDING, OR TRIAL.

On motion of Representative Weiss, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

**H.B. 1009**, A BILL TO BE ENTITLED AN ACT TO EXPAND AND MAKE CONSISTENT THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ALLOW FOR RISK-BASED REMEDIAL ACTIONS.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (91-12).

Representative Luebke offers Amendment No. 2 which is adopted by electronic vote (101-17).

Representative Luebke offers Amendment No. 3 which fails of adoption by electronic vote (32-79).

SPEAKER BLACK PRESIDING.

The bill, as amended, passes its second reading, by electronic vote (79-31), and there being no objection is read a third time.

The bill, as amended, passes its third reading by electronic vote (81-29) and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1007**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ENVIRONMENTAL STATUTES OF THE STATE OF NORTH CAROLINA, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1187** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF THE SPONSOR OR INITIATOR OF A PERSUASIVE POLL, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (107-1).

Representative Shubert offers Amendment No. 2 which fails of adoption by electronic vote (33-76).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 1128**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS.

On motion of Representative Blust, the bill is withdrawn from the Calendar and re-referred to the Committee on Education.

**H.B. 1125** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR ENROLLING CHILDREN IN THE PUBLIC SCHOOLS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1094**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN ERROR MADE IN 1999 IN THE TERM OF OFFICE OF A NEW SUPERIOR COURT JUDGESHIP IN SUPERIOR COURT DISTRICT 22.

On motion of Representative Blue, and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

**H.B. 218** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL COMMODITIES OR PRODUCTION SYSTEMS, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 360** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW ON STIPULATIONS AS TO JURISDICTION AND LIMITATIONS OF ACTION AND THE PREFERRED PROVIDER PLAN LAW; AMEND THE SMALL EMPLOYER RATE GUARANTEE LAW; PROVIDE FOR THE PROMOTION OF ALCOHOL AND NARCOTIC SCREENING AND INTERVENTION; AMEND THE LAW ON NEWBORN AND FOSTER CHILD COVERAGE; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONFINEMENT OR PREGNANCY; PROVIDE FOR A HEALTH INSURANCE CONTINUATION ELECTION PERIOD; REQUIRE AN HMO GROUP COVERAGE PREMIUM CHANGE NOTICE; CLARIFY THE HMO POINT-OF-SERVICE LAW; PROVIDE FOR SUCCESSOR HEALTH PLAN COVERAGE FOR CONDITIONS FIRST DIAGNOSED UNDER PREVIOUS COVERAGE; TO EXPAND MEDICARE SUPPLEMENT GUARANTEED ISSUANCE FOR DISABLED PERSONS; TO ALLOW THE INSURANCE COMMISSIONER TO ADOPT TEMPORARY RULES FOR MEDICARE SUPPLEMENT AND LONG-TERM CARE INSURANCE TO IMPLEMENT FEDERAL REQUIREMENTS; TO MAKE TECHNICAL CORRECTIONS TO REFLECT REPEALS OF LAWS; TO CLARIFY THE LAWS ON RECONSTRUCTIVE SURGERY NOTICES; AND TO CLARIFY THE LAW ON DEEMER PROVISIONS.

Representative Cox requests that he be excused from voting on this bill, to avoid the appearance of a conflict of interest, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 335** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SEIZED FIREARMS MAY BE USED BY LAW ENFORCEMENT AGENCIES FOR OFFICIAL LAW ENFORCEMENT PURPOSES, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 383** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO WAIVE IMMUNITY

FOR NEGLIGENCE LIABILITY BY THE ADOPTION OF A FUNDED RESERVE AND TO CLARIFY THAT ANY WAIVER OF IMMUNITY IS FROM THE FIRST DOLLAR OF DAMAGES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

On motion of Representative Nesbitt, and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

**H.B. 645** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADOPT DRESS CODE AND APPEARANCE POLICIES FOR PUBLIC SCHOOL STUDENTS AND EMPLOYEES, passes its second reading, by electronic vote (95-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 817**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RICHMOND AND THE MUNICIPALITIES LOCATED IN THAT COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

#### **CALENDAR (continued)**

**H.B. 1217** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPEED THE NOTIFICATION TO LIENHOLDERS AND INNOCENT MOTOR VEHICLE OWNERS WHEN A MOTOR VEHICLE IS SEIZED UNDER DWI FORFEITURE PROVISIONS, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 793** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSES OF INDECENT BEHAVIOR BETWEEN MINORS FOR THE PURPOSE OF PRODUCING INDECENT PHOTOGRAPHS OR OTHER ELECTRONIC VISUAL MATERIALS AND DISSEMINATION OF INDECENT MATERIALS BY MINORS.

On motion of Representative Hensley, the bill is temporarily displaced.

**H.B. 844** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT ELEVEN INTO A SET OF DISTRICTS FOR ELECTORAL PURPOSES ONLY, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **NOTICE GIVEN TO PLACE BILL ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.B. 817** (Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN RICHMOND COUNTY, is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **CALENDAR (continued)**

**H.B. 941** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES IN NORTH CAROLINA WITH POPULATIONS OF ONE HUNDRED THOUSAND OR MORE TO ENACT ORDINANCES PROHIBITING DISCRIMINATION.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (99-5).



The bill, as amended, passes its second reading, by electronic vote (81-24), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 946** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT FORMS OF IDENTIFICATION AN OFFENSE AND TO MAKE IT ILLEGAL TO POSSESS FRAUDULENT IDENTIFICATION WHILE ATTEMPTING TO ENTER THE PREMISES OF AN ALCOHOL PERMITTEE OR OBTAIN ALCOHOLIC BEVERAGES.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Gillespie and without objection, **H.B. 308**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR GEOGRAPHIC REPRESENTATION IN APPOINTING MEMBERS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION, is withdrawn from the Calendar and re-referred to the Committee on Environment and Natural Resources.

#### **CALENDAR (continued)**

**H.B. 1266**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF REGISTERED NURSE FIRST ASSISTANTS UNDER HEALTH INSURANCE POLICIES AND PLANS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (62-38), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 998**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1154** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CRIME VICTIMS' RIGHTS ACT AND TO OTHERWISE IMPROVE THE RIGHTS OF VICTIMS OF CRIME IN NORTH CAROLINA, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 568**, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PUBLIC SCHOOLS PROTECT THE RIGHTS OF STUDENTS AND THEIR FAMILIES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPEAKER BLACK PRESIDING.

**H.B. 1193**, A BILL TO BE ENTITLED AN ACT TO ALLOW VOTERS TO REPORT CHANGES OF ADDRESS BY FAX, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 442** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.

Representative Hilton offers Amendment No. 1 which is adopted by electronic vote (99-3).

The bill, as amended, passes its second reading, by electronic vote (99-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Hilton, and without objection, **H.B. 985** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO HAS A VALID CONCEALED HANDGUN PERMIT FROM ANOTHER STATE MAY CARRY A CONCEALED HANDGUN IN COMPLIANCE WITH STATE LAW IN NORTH CAROLINA AND TO DIRECT THE DEPARTMENT OF JUSTICE TO ENTER RECIPROCITY AGREEMENTS WITH ALL STATES THAT RECOGNIZE NORTH CAROLINA'S HANDGUN PERMIT AS VALID, is withdrawn from the Calendar and re-referred to the Committee on Judiciary III.

### CALENDAR (continued)

**H.B. 793** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSES OF INDECENT BEHAVIOR BETWEEN MINORS FOR THE PURPOSE OF PRODUCING INDECENT PHOTOGRAPHS OR OTHER ELECTRONIC VISUAL MATERIALS AND DISSEMINATION OF INDECENT MATERIALS BY MINORS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (102-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 460** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A MEMORIAL MARKER PROGRAM FOR PERSONS KILLED AS A RESULT OF ACCIDENTS INVOLVING IMPAIRED DRIVING, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Hensley withdraws his amendment.

The bill passes its second reading, by electronic vote (99-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 1308** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DATE BY WHICH ONLY LOW-SULFUR GASOLINE MAY BE SOLD IN THE STATE AND TO AUTHORIZE THE GOVERNOR TO TEMPORARILY WAIVE STATE LOW-SULFUR GASOLINE STANDARDS IN FAVOR OF FEDERAL LOW-SULFUR GASOLINE STANDARDS IF THE GOVERNOR FINDS THAT ENFORCEMENT OF THE STATE STANDARDS WOULD HAVE A SIGNIFICANT ADVERSE IMPACT ON THE SUPPLY OR PRICE OF GASOLINE IN THE STATE, which was temporarily displaced, is before the Body.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (103-2).

The bill, as amended, passes its third reading by electronic vote (60-45) and is ordered engrossed and sent to the Senate by Special Message.

**H.B. 609** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SPECIFY THE MINIMUM SEPARATION DISTANCES BETWEEN A WELL SERVING CERTAIN SINGLE-FAMILY DWELLINGS AND CERTAIN OTHER STRUCTURES ON THE SAME LOT AND TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A TEMPORARY RULE TO INCORPORATE THOSE MINIMUM SEPARATION DISTANCES, passes its third reading, by electronic vote (101-1), and is ordered sent to the Senate by Special Message.

### **CROSSOVER DEADLINE AGREEMENT**

April 26, 2001

AGREEMENT TO COVER BILLS AND RESOLUTIONS PASSED FOLLOWING ADJOURNMENT OF EITHER CHAMBER PRIOR TO THE OTHER ON April 26, 2001, CROSSOVER DEADLINE.

It is agreed that all bills and resolutions passed by the House of Representatives or the Senate on April 26, 2001, and ordered sent to the

April 26, 2001

other chamber, but not read as a message on the floor of either Body, shall be considered to have met the provisions of House Rule 31.1(d) and Senate Rule 41.

S/ James B. Black  
Speaker of the House

S/ Marc Basnight  
Senate President Pro Tempore

Representative Culpepper moves, seconded by Representative Easterling, that the House adjourn, subject to the receipt of Messages, to reconvene Monday, April 30, 2001, at 7:00 p.m.

The motion carries.

### **SPECIAL MESSAGES FROM THE SENATE**

The following special messages are received from the Senate:

**S.B. 346** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW REGARDING THE CRIMINAL OFFENSE OF STALKING AND CERTAIN DOMESTIC VIOLENCE LAWS, is read the first time and referred to the Committee on Judiciary III.

**S.B. 365** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR AD VALOREM TAXES AND TO ALLOW COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING, is read the first time and referred to the Committee on Finance.

**S.B. 367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN, AND TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY THE APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT TO THESE AGENCIES, is read the first time and referred to the Committee on State Government and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ELIMINATING THE RESIDENCY REQUIREMENT FOR POLICE OFFICERS OF THE CITY OF ROCKY MOUNT, is read the first time and referred to the Committee on Local Government I.

**S.B. 470** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MOTOR VEHICLE DEALER FRANCHISE LAW, is read the first time and referred to the Committee on Judiciary I.

**S.B. 476** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE ALL OF THE GREENSBORO 19 PRECINCT IN SUPERIOR COURT DISTRICT 18D, is read the first time and referred to the Committee on Judiciary I.

**S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, is read the first time and referred to the Committee on Local Government II.

**S.B. 587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, is read the first time and referred to the Committee on Judiciary I.

**S.B. 626** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES, is read the first time and referred to the Committee on Judiciary II.

**S.B. 703** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY IMMUNITY FOR HONORING A PORTABLE DO NOT RESUSCITATE ORDER, is read the first time and referred to the Committee on Health.

**S.B. 766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO THE DELIVERY OF MEDICAL SERVICES TO PERSONS WITH DISABILITIES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 790**, A BILL TO BE ENTITLED AN ACT TO REVISE THE GOOD FUNDS SETTLEMENT ACT TO REPEAL THE AUTHORITY

OF A SETTLEMENT AGENT TO DISBURSE SETTLEMENT PROCEEDS IN RELIANCE ON A DEPOSIT IN THE FORM OF A CHECK DRAWN ON THE ACCOUNT OF OR ISSUED BY A LENDER WHICH IS APPROVED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AS EITHER A SUPERVISED OR NONSUPERVISED MORTGAGEE, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 937** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW, is read the first time and referred to the Committee on Health.

**S.B. 1034**, A BILL TO BE ENTITLED AN ACT TO AMEND ENVIRONMENTAL REPORTING REQUIREMENTS, is read the first time and referred to the Committee on Environment and Natural Resources.

The House stands adjourned at 5:53 p.m.

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## FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Monday, April 30, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, because of Your great love for us, You are constantly making space for us. In the act of creation You separated the waters and caused dry land to appear, allowing us a place to live. When we turned away from Your love, You searched for us and invited us to feast at Your table of mercy and forgiveness, allowing us a place to be loved. And when we breathe our last and our lives end, You have prepared a place for us, allowing us an eternal place of peace. If You would go to such extremes to make room for us, Your wayward children, how much more should we be able to find room for You, our faithful God.

"Forgive us for full days that are empty of a quest for Your will. Pardon us for well-planned agendas with no plans for prayer with You.

April 30, 2001

May this moment we make for You now be but the foundation of a greater edifice of sacred space and time that we devote to You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Brubaker, Cole, Daughtry, Davis, Esposito, Goodwin, Hunter, and Wright for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR  
20301 Mail Service Center Raleigh, NC 27699-0301

Michael F. Easley  
*Governor*

April 30, 2001

The Honorable James Black  
Speaker of the House  
North Carolina General Assembly  
2307 Legislative Building  
Raleigh, NC 27603

Dear Speaker Black:

Pursuant to General Statute § 62-10, I hereby appoint James Yancey Kerr, II and Michael Satterfield Wilkins to serve as members of the North Carolina Utilities Commission and submit their names for confirmation by the North Carolina General Assembly. Both terms shall begin July 1, 2001 and will expire June 30, 2009.

Mr. Kerr will fill the seat currently held by Ralph Hunt and Mr. Wilkins will fill the seat currently held by Judy Hunt.

Additionally, I appoint Lorenzo Joyner to continue to serve on the Commission. Ms. Joyner is currently completing the term previously held by William Pittman. Mr. Pittman resigned effective January 24.

April 30, 2001



Finally, I am reappointing Joanne Sanford as chair of the Commission. Ms. Sanford has served as a member of the Commission since 1995 and as chair since 1997.

Enclosed is biographical information on these appointees. Please feel free to call on them or members of my staff if you need additional information.

With kindest regards, I remain.

Very truly yours,  
S/ Michael F. Easley  
*Governor*

The Speaker refers the letter to the Committee on Public Utilities.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 19**, AN ACT TO ALLOW CAROLINA BEACH, CARTERET COUNTY, DARE COUNTY, AND THE TOWNS OF INDIAN BEACH, KILL DEVIL HILLS, KITTY HAWK, KURE BEACH, NAGS HEAD, NORTH TOPSAIL BEACH, PINE KNOLL SHORES, SURF CITY, TOPSAIL BEACH, AND WRIGHTSVILLE BEACH TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS AND PUBLIC BEACH ACCESS. (S.L. 2001-36)

**H.B. 77**, AN ACT TO REMOVE THE PERCENTAGE OF AREA LIMITATION FOR SATELLITE ANNEXATIONS BY VARIOUS MUNICIPALITIES. (S.L. 2001-37)

**H.B. 569**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA. (S.L. 2001-38)

**H.B. 633**, AN ACT TO AUTHORIZE THE CITY OF ARCHDALE TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS. (S.L. 2001-39)

**S.B. 3**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES. (S.L. 2001-40)

**H.B. 740**, AN ACT AUTHORIZING THE LEGISLATIVE SERVICES COMMISSION TO OPERATE THE SNACK BAR IN THE LEGISLATIVE OFFICE BUILDING. (S.L. 2001-41)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR THE GOVERNOR TO APPOINT THE STATE CONTROLLER TO JUNE 15, 2001, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 1.

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

The following is introduced, read the first time and referred to committee:

By Representatives Allen, M. Crawford, Daughtry, Hill, Jarrell, McMahan, Owens, Russell, Saunders, Tolson, Tucker, Wainwright, and Walend:

**H.B. 1425**, A BILL TO BE ENTITLED AN ACT TO PROMOTE JOB GROWTH AND CAPITAL FORMATION, is referred to the Committee on Finance.

### **SPECIAL MESSAGES FROM THE SENATE**

The following special messages are received from the Senate:

**H.B. 142** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND

April 30, 2001

SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN- YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 1.

**S.B. 8** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTRICT THE FLOW OF NATIONAL PARTY POLITICAL CONTRIBUTIONS INTO NORTH CAROLINA CAMPAIGNS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.B. 15** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE AUTHORIZATION FOR MEMBERS OF THE GENERAL ASSEMBLY TO ACCESS CONFIDENTIAL PERSONNEL INFORMATION OF PUBLIC SCHOOL, COMMUNITY COLLEGE, AND STATE EMPLOYEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 92** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS MUNICIPALITIES AND COUNTIES TO LEVY ROOM OCCUPANCY TAXES, is read the first time and referred to the Committee on Finance.

**S.B. 160** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS, is read the first time and referred to the Committee on Health.

**S.B. 165** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO

THE REVENUE LAWS AND RELATED STATUTES, is read the first time and referred to the Committee on Finance.

**S.B. 167** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO ESTABLISH THE RATES FOR REIMBURSEMENT FOR ADULT DAY CARE FROM THE HOME AND COMMUNITY CARE BLOCK GRANT FUND, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 199** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPROVE ACCESS TO HEALTH CARE ADVICE, INFORMATION, AND SERVICES TO COVERED PERSONS UNDER HEALTH BENEFIT PLANS; ESTABLISH STANDARDS FOR HEALTH PLAN DISCLOSURES TO CONSUMERS; ESTABLISH A PATIENTS' ASSISTANCE PROGRAM; REQUIRE COVERAGE FOR CLINICAL TRIALS AND NEWBORN HEARING SCREENING; PROVIDE STANDARDS FOR INDEPENDENT REVIEW OF NONCERTIFICATIONS BY AN INSURER OR MANAGED CARE PLAN, AND TO HOLD MANAGED CARE ENTITIES LIABLE FOR HARM CAUSED TO INSURED OR ENROLLEES BY THE FAILURE TO EXERCISE ORDINARY CARE IN MAKING TREATMENT DECISIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 249** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO USE FUNDS DESIGNATED FOR PROJECTS THAT ARE DELAYED FOR OTHER PROJECTS THAT ARE READY TO BE CONSTRUCTED, is read the first time and referred to the Committee on Transportation.

**S.B. 280**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LAW ENFORCEMENT PROTECTION TO SOCIAL SERVICES WORKERS WHEN INVESTIGATING REPORTS OF ABUSE, NEGLECT, OR DEPENDENCY, AND WHEN TAKING TEMPORARY PHYSICAL CUSTODY OF A JUVENILE, is read the first time and referred to the Committee on Judiciary II.

**S.B. 416**, A BILL TO BE ENTITLED AN ACT TO AMEND RULE 68 OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING THE DEFINITION OF "JUDGMENT FINALLY OBTAINED" AND BY CHANGING THE TIME PERIODS FOR EXTENDING AND ACCEPTING OFFERS OF JUDGMENT PRIOR TO TRIAL AND TO MAKE OTHER

CONFORMING CHANGES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION, is read the first time and referred to the Committee on Judiciary II.

**S.B. 600** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES, is read the first time and referred to the Committee on Transportation.

**S.B. 627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LIABILITY INSURANCE ON MOTOR VEHICLES OPERATED IN THE STATE BY STUDENTS ADMITTED TO CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and referred to the Committee on Education.

**S.B. 639** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR WITHIN THE COUNTIES OF CHATHAM, FORSYTH, GUILFORD, LEE, MONTGOMERY, MOORE, AND RANDOLPH; TO ESTABLISH THE DEEP RIVER HERITAGE CORRIDOR PLANNING COMMITTEE; AND TO PROVIDE FOR THE PREPARATION OF A RESOURCE MANAGEMENT PLAN FOR THE DEEP RIVER HERITAGE CORRIDOR, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 646** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO HARM OR ATTEMPT TO HARM A LAW ENFORCEMENT AGENCY ANIMAL OR AN ASSISTANCE ANIMAL, TO OBSTRUCT OR DELAY THE ANIMAL IN THE PERFORMANCE OF ITS OFFICIAL DUTIES, OR TO TEASE OR HARASS THE ANIMAL, is read the first time and referred to the Committee on Judiciary III.

**S.B. 742**, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL GOVERNMENTS TO WAIVE IMMUNITY FOR NEGLIGENCE LIABILITY BY THE ADOPTION OF A FUNDED RESERVE AND TO CLARIFY THAT ANY WAIVER OF IMMUNITY IS FROM THE FIRST DOLLAR OF DAMAGES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, is read the first time and referred to the Committee on Judiciary I.

**S.B. 778** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING CRIMINAL HISTORY

CHECKS OF APPLICANTS FOR EMPLOYMENT IN PUBLIC SCHOOLS, is read the first time and referred to the Committee on Education.

**S.B. 815** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LENDERS TO PROVIDE APPLICANTS FOR HOME LOANS WITH AMORTIZATION CHARTS, is read the first time and referred to the Committee on Financial Institutions.

**S.B. 855** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF AIRPORT FACILITIES FOR CERTAIN PURPOSES, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 866** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT, is read the first time and referred to the Committee on Mental Health.

**S.B. 887**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR MAGISTRATES WHO ARE LICENSED TO PRACTICE LAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 938** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY DATE RAPE DRUG ANALOGUES AND DETERMINE WHETHER THOSE SHOULD BE INCLUDED IN THE SCHEDULES OF CONTROLLED SUBSTANCES, is read the first time and referred to the Committee on Health and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO COUNTIES FOR USE IN PROGRAMS OF PROVIDING DONATED MOTOR VEHICLES TO LOW-INCOME PERSONS, is read the first time and referred to the Committee on Transportation.

**S.B. 947** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SPEECH AND LANGUAGE PATHOLOGISTS AND SCHOOL PSYCHOLOGISTS IN THE PUBLIC SCHOOLS TO

PARTICIPATE IN THE MENTOR PROGRAM IN THE SAME MANNER AS TEACHERS, is read the first time and referred to the Committee on Education.

**S.B. 967**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW, is read the first time and referred to the Committee on Finance.

**S.B. 976** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING PROVISIONS OF THE STATE PERSONNEL ACT PERTAINING TO THE NUMBER AND THE APPEALS RIGHTS OF CERTAIN EXEMPT EMPLOYEES, is read the first time and referred to the Committee on State Personnel.

**S.B. 1014** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAWS, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1024** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALTER THE MANNER IN WHICH MEMBERS OF THE ENVIRONMENTAL MANAGEMENT COMMISSION ARE APPOINTED, AND TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE COMMISSION, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1032** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING PUBLIC LIBRARIES AND SCHOOLS TO IMPLEMENT POLICIES TO PROTECT MINORS FROM OBSCENE MATERIAL OR MATERIAL HARMFUL TO MINORS THROUGH USE OF THE INTERNET, TO PROHIBIT THE DISSEMINATION OF OBSCENITIES BY COMPUTER TRANSMISSION, TO INCREASE THE PENALTIES FOR CERTAIN CRIMINAL OFFENSES CONCERNING MINORS AND OBSCENITY, TO PROHIBIT THE USE OF STATE COMPUTERS TO ACCESS OBSCENITIES, AND TO REGULATE CERTAIN USES OF STATE COMPUTERS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 1036**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT, is read the first time and referred to the Committee on State Government.

**S.B. 1038** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHERE DEEDS REFERENCE A RIGHT-OF-WAY BASED ON AN UNRECORDED LOST PLAT, THE SUPERIOR COURT IN A SPECIAL PROCEEDING MAY DECLARE THE RIGHT-OF-WAY DEDICATED TO PUBLIC USE, is read the first time and referred to the Committee on Judiciary I.

**S.B. 1047** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE AIR QUALITY IN THE MOUNTAIN REGION OF THE STATE, is read the first time and referred to the Committee on Environment and Natural Resources.

**S.B. 1059**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF CONTRACTOR UNDER THE LAWS RELATING TO PUBLIC CONTRACTS, is read the first time and referred to the Committee on Ways and Means.

**S.B. 1081**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE FOR A PRISONER TO THROW BODILY FLUIDS AT AN EMPLOYEE OF A DETENTION FACILITY WHILE IN THE PERFORMANCE OF THE EMPLOYEE'S DUTIES, is read the first time and referred to the Committee on Judiciary III.

**S.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON OUTDOOR ADVERTISING ALONG INTERSTATE HIGHWAY 40 AND TO REMOVE THE SUNSET, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF PAGES

Pages for the week of April 30 are introduced to the membership. They are: Donald Brown, III, of Wake; Bryn DeLuca of Wake; Cynthia Eubanks of Wake; Nathaniel Fetting of Johnston; Cornelius Flowers of Franklin; William Flowers, III, of Franklin; Christopher Graham of Wake; Lauren Jones of Granville; Brandy Myers of Rowan; Lindsey Ricks of Wake; and Rebecca Ricks of Wake.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 882**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT, is withdrawn from the



Committee on Agriculture and re-referred to the Committee on Financial Institutions.

On motion of Representative Culpepper, seconded by Representative Jarrell, the House adjourns at 7:28 p.m. to reconvene May 1 at 3:00 p.m.

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## **FIFTY-SIXTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, May 1, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, reign down upon us Your wisdom as we attempt to bring forth a budget. We are humbled by the depth of need and the limited funds available to us. We feel the burden of leadership knowing that by our decisions promising programs and positive policies may end or never begin. As we are forced to adjudicate between competing claims of favorable impact, help us to see clearly the motivations for the causes we support. Keep us from simply protecting our pet projects or using funding losses as a weapon against whom we perceive to be opponents. May the decisions we make truly be in the best interest of the populace and may our hearts be open to the path that You would show us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of April 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Davis, Dockham, Esposito, Holmes, Hurley, Preston, Russell, and Warwick for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 449** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF TROY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**H.B. 616** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**H.B. 636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ELIZABETH CITY AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**S.B. 229** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**S.B. 381**, A BILL TO BE ENTITLED AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**S.B. 557** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**S.B. 655**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**S.B. 677**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 2.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
April 30, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully requesting that **S.B. 766** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO THE DELIVERY OF MEDICAL SERVICES TO PERSONS WITH DISABILITIES, be returned to the Senate for further consideration.

Sincerely,  
S/ Janet B. Pruitt  
*Principal Clerk*

May 1, 2001

The Speaker orders the bill withdrawn from the Committee on Rules, Calendar, and Operations of the House and returned to the Senate.

### CALENDAR

Action is taken on the following:

**H.B. 142** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN- YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

On motion of Representative Sutton, the House concurs in Senate Committee Substitute Bill No. 2, by electronic vote (92-11), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 831** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE DEADLINE FOR THE GOVERNOR TO APPOINT THE STATE CONTROLLER TO JUNE 15, 2001, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

### WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the Chair withdraws the following bills from the Calendar pursuant to Rule 36(b) and re-refers them to the Committee on Rules, Calendar, and Operations of the House.

**H.B. 1151** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE STATE'S VIOLENT HABITUAL FELON LAW; and

**H.B. 1152** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S HABITUAL FELON LAW AND WHETHER THAT LAW SHOULD BE REPEALED.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 763**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Cultural Resources and, if favorable, to the Committee on Appropriations.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**S.B. 831**, AN ACT TO EXTEND THE DEADLINE FOR THE GOVERNOR TO APPOINT THE STATE CONTROLLER TO JUNE 15, 2001.

On motion of Representative Culpepper, seconded by Representative Underhill, the House adjourns at 3:15 p.m. to reconvene May 2 at 3:00 p.m.

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## FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, May 2, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Creating God, we pause to give You thanks for the gift of life. Only You know the seasons of our life and the duration of our existence. For it is by Your mercy that we arose to meet the morning and it is through Your

May 2, 2001

grace that we breathe throughout the day. Because we are not guaranteed the gift of tomorrow, the present is of infinite worth. Therefore, teach us to value the love of our families and to relish the bonds of friendship. Make us mindful of relationships that need to be mended. Grant us humility that we might seek forgiveness where we have wronged others and offer pardon to those that have wronged us. Use us to bring beauty and goodness, kindness and mercy into Your world. Help us, O God, live well each moment and each day we are given. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Esposito, Russell, Saunders, and Smith for today.

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 831**, AN ACT TO EXTEND THE DEADLINE FOR THE GOVERNOR TO APPOINT THE STATE CONTROLLER TO JUNE 15, 2001. (S.L. 2001-42)

### **THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE**

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

20301 Mail Service Center Raleigh, NC 27699-0301

Michael F. Easley  
*Governor*

May 1, 2001

The Honorable James Black  
Speaker of the House  
North Carolina General Assembly  
2304 Legislative Building  
Raleigh, NC 27601

May 2, 2001

Dear Speaker Black:

Pursuant to General Statute § 62-15, I hereby reappoint Robert P. Gruber to serve as Executive Director of the North Carolina Utilities Commission and submit his name for confirmation by the North Carolina General Assembly. His term shall begin July 1, 2001 and will expire June 30, 2007.

With kindest regards, I remain.

Very truly yours,  
S/ Michael F. Easley  
*Governor*

The Speaker refers the letter to the Committee on Public Utilities.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Jarrell, Chair, for the Committee on Local Government II:

**S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 651**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTING THE MEMBERS OF THE MOUNT AIRY PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT OF AND FOR THE CITY OF MOUNT AIRY UPON THE ADOPTION OF AN ORDINANCE BY THE CITY OF MOUNT AIRY EXTENDING ITS JURISDICTION ONE MILE BEYOND ITS CORPORATE LIMITS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 675**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND

SERVICES ON A REQUEST FOR PROPOSALS BASIS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 688**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN ASSESSMENT ON TURFGRASS FERTILIZER AND TO PROVIDE FOR THE COLLECTION, USE, AND REFUND OF THIS ASSESSMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 834**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 3. The original bill is placed on the Unfavorable Calendar.

**H.B. 877**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 3. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:



**S.B. 221**, A BILL TO BE ENTITLED AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE CONFORMING CHANGES TO CHAPTER 126, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Nesbitt, Vice Chair, for the Committee on Judiciary I:

**S.B. 262** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON IMPROPERLY CHARGED WITH A CRIMINAL OFFENSE AS A RESULT OF IDENTITY FRAUD MAY HAVE HIS OR HER RECORD EXPUNGED, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Gulley, Chair, for the Committee on Wildlife Resources:

**S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

### **MESSAGE FROM THE SENATE**

The following is received from the Senate:

**S.B. 353** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS, is read the first time and referred to the Committee on Finance.

**CALENDAR**

Action is taken on the following:

**H.B. 449** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF TROY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders, and Smith - 5.

**WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Preston and without objection, **H.B. 616** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS, is withdrawn from the Calendar and placed on the Calendar of May 3.

**ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

May 2, 2001

**H.B. 142**, AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN- YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.

### CALENDAR (continued)

SPEAKER BLACK PRESIDING.

**H.B. 636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ELIZABETH CITY AND TO REPEAL PRIOR LOCAL ACTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders, and Smith - 5.

**S.B. 381**, A BILL TO BE ENTITLED AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders, and Smith - 5.

**S.B. 557** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko,

Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders, and Smith - 5.

**S.B. 229** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH.

On motion of Representative McComas, the bill is withdrawn from the Calendar and placed on the Calendar of May 8.

**S.B. 655**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker,

Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders, and Smith - 5.

**S.B. 677**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Barbee, Esposito, Russell, Saunders and Smith - 5.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 626** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 825** (Committee Substitute), A BILL TO BE

ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 698**, A BILL TO BE ENTITLED AN ACT REGARDING CARTERET COUNTY OCCUPANCY TAX CHANGES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1271**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NATIONAL HERITAGE AREA COMMISSION TO SEEK THE DESIGNATION THROUGH THE UNITED STATES CONGRESS OF THE NORTH CAROLINA APPALACHIAN HERITAGE AREA AS A NATIONAL HERITAGE AREA, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Cultural Resources.

On motion of Representative Culpepper, seconded by Representative Fitch, the House adjourns at 3:34 p.m. to reconvene May 3 at 11:30 a.m.

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## FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, May 3, 2001

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Good and gracious God, so much of our life is characterized by busyness. We are enslaved by the mistaken conviction that our worth is in our

May 3, 2001

work, our meaning is in our meetings, our value is in our victories. As such, we assume that the busier we are, the better we are. But the good news You offer to us is that we are precious in Your sight simply because You love us. And this love is not something we must earn. So we stand before You today, resting in Your grace. We pause to be grasped by the incredible truth that the Master of the Universe longs to be with us. We stop to experience the peace of mind that comes from acknowledging our supreme worth in Your sight. In the quiet of this moment, may we glimpse the joy that comes in resting in You. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative McAllister, Vice Chair, for the Committee on Financial Institutions:

**S.B. 882**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**S.B. 541** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT SINGLE-FAMILY DWELLINGS USED AS FAMILY FOSTER HOMES OR THERAPEUTIC HOMES FROM SANITATION REQUIREMENTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.



Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 716** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 7.

By Representative Jarrell, Chair, for the Committee on State Government:

**S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 302** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### CALENDAR

Action is taken on the following:

**H.B. 449** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF TROY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**H.B. 636** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ELIZABETH CITY AND TO REPEAL PRIOR LOCAL ACTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens,

Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**S.B. 381**, A BILL TO BE ENTITLED AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**S.B. 557** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards,

Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**S.B. 655**, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**S.B. 677**, A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hurley, Jarrell, Jeffus, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, G. Wilson, Womble, Wright and Yongue - 94.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

**H.B. 616** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS.

On motion of Representative Preston, the bill is withdrawn from the Calendar and placed on the Calendar of May 7.

**H.B. 834** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Coates, Cole, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Easterling, Edwards, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Hunter, Hurley, Jarrell, Jeffus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nesbitt, Owens, Pope, Preston, Redwine, Rogers, Setzer,

Sexton, Sherrill, Shubert, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 85.

Voting in the negative: Representatives Allred, Baker, Capps, Cox, Creech, Davis, Eddins, Ellis, Gulley, Hilton, Justus, Nye, Rayfield, and Warwick - 14.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

Representative Gillespie requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (84-15).

**H.B. 877** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, Michaux, Miller, Miner, Mitchell, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Setzer, Sexton, Sherrill, Shubert, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Barbee, Church, Esposito, Morris, Russell, Saunders, Smith, and Starnes - 8.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION.

On motion of Representative Redwine, and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 8.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 652**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF MACCLESFIELD ON THE TOWN'S CENTENNIAL ANNIVERSARY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 7.

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Wright, the House adjourns at 11:49 a.m. to reconvene Monday, May 7, 2001, at 7:00 p.m.

**FIFTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, May 7, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Steven Hickle, Fairmont United Methodist Church, Raleigh, North Carolina:

"Great God, whose Power is higher than any of our imagining, and in Whom lies our hope, hear us, we pray. We come before You naming these set apart to lead all the people, humbly claiming to be servant-leaders. We are thankful for the charge given into these able hands, hands that hold in trust the gifts that You have given. May You charge each heart and challenge each mind to lead as You will. As these representatives act in Your presence, call forth from each one a sense of kindness, of mercy, and of justice, and finally, of Your eternal purpose. We pray these things in the name of the One who calls us to life, both now and forevermore. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Cunningham, Decker, Esposito, Hiatt, Hunter, McAllister, Nesbitt, and Starnes for today.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 150**, AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER.

**H.B. 410**, AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL AND PERSONAL PROPERTY WITHOUT THE APPROVAL OF THE STATE BOARD OF COMMUNITY COLLEGES.



**H.B. 736**, AN ACT TO REQUIRE THAT LONG-TERM CARE FACILITIES POST INFORMATION ABOUT STAFFING LEVELS.

**H.B. 979**, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ISSUE SPECIAL HIGH SCHOOL DIPLOMAS TO VETERANS OF WORLD WAR II WHO HAVE NOT PREVIOUSLY RECEIVED DIPLOMAS.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 381**, AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN.

**S.B. 557**, AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM.

**S.B. 655**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY.

**S.B. 677**, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON.

**H.B. 516**, AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES.

**H.B. 651**, AN ACT TO AUTHORIZE THE CITY OF GREENVILLE AND THE TOWN OF CHAPEL HILL TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY.

**H.B. 664**, AN ACT RELATING TO ZONING PROTEST PROCEDURES IN THE CITY OF ROCKINGHAM.

**H.B. 682**, AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY.

**H.B. 683**, AN ACT TO CLARIFY THAT MEMBERS OF THE PLYMOUTH TOWN COUNCIL ELECTED FROM A WARD ARE VOTED ON ONLY WITHIN THAT WARD.

**H.B. 726**, AN ACT RELATING TO REGULATION OF OCEAN ACTIVITIES BY DARE COUNTY.

**H.B. 727**, AN ACT RELATING TO THE USE OF FUNDS BY THE DARE COUNTY DEPARTMENT OF SOCIAL SERVICES.

**REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

Representative Hill, for the Committee on Agriculture, submits the following bill with a favorable report for introduction:

A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES TO THE DEFINITIONS USED FOR AGRICULTURAL, HORTICULTURAL, AND FORESTRY LAND; TO PERMIT A CHANGE OF OWNERSHIP WITH CONTINUED QUALIFICATION FOR DEFERRED TAX STATUS; TO PROVIDE AN OPTION FOR PREPAYMENT OF ANY DEFERRED TAXES; TO CREATE A STUDY; AND TO MAKE CONFORMING CHANGES.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1427** and placed on the Calendar of May 8 for its first reading.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 285**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF RANDOLPH, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

The committee substitute changes the bill from local to public.

**H.B. 444**, A BILL TO BE ENTITLED AN ACT CONCERNING THE HOUSING FINANCE AGENCY, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and

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with recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 195** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE AS REGISTERED NURSES OR LICENSED PRACTICAL NURSES UPON THE REQUEST OF THE NORTH CAROLINA BOARD OF NURSING, TO AUTHORIZE THE BOARD OF NURSING TO REQUIRE CRIMINAL HISTORY RECORD CHECKS OF PERSONS APPLYING TO PRACTICE NURSING IN THE STATE OF NORTH CAROLINA, AND TO AMEND THE POWERS OF THE BOARD OF NURSING TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS UPON THE BOARD'S REQUEST, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

**S.B. 310**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE, with a favorable report as to House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**S.B. 336**, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES OR IN HALIFAX COUNTY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 8. The original bill is placed on the Unfavorable Calendar.

**S.B. 587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 8.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Hill, Allen, Buchanan, Church, Coates, Culp, Davis, Eddins, Fox, Hurley, Mitchell, Oldham, Owens, Teague, Wainwright, Warner, Warren, and Weatherly:

**H.B. 1426**, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRODUCTION, PROCESSING, STORING, SALE, TRANSPORTATION, AND POSSESSION OF EXPERIMENTAL TOBACCO, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**H.B. 85** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC., is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 8.

### CALENDAR

Action is taken on the following:

**H.B. 834** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WASHINGTON TO INCREASE

May 7, 2001

ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Haire, Hall, Hensley, Hill, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 89.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Davis, Eddins, Gillespie, Harrington, Hilton, Justus, Kiser, Nye, Rayfield, Shubert, and Warwick - 15.

Excused absences: Representatives Brubaker, Cunningham, Decker, Esposito, Hiatt, Hunter, McAllister, Nesbitt, and Starnes - 9.

**H.B. 877** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton,

Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Cunningham, Decker, Esposito, Hiatt, Hunter, McAllister, Nesbitt, and Starnes - 9.

**H.B. 616** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Cunningham, Decker, Esposito, Hiatt, Hunter, McAllister, Nesbitt, and Starnes - 9.

#### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Haire and without objection, **S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, is withdrawn from the Calendar and placed on the Calendar of May 9.

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 651**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTING THE MEMBERS OF THE MOUNT AIRY PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT OF AND FOR THE CITY OF MOUNT AIRY UPON THE ADOPTION OF AN ORDINANCE BY THE CITY OF MOUNT AIRY EXTENDING ITS JURISDICTION ONE MILE BEYOND ITS CORPORATE LIMITS.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (106-0).

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 675**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND SERVICES ON A REQUEST FOR PROPOSALS BASIS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis,

Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 100.

Voting in the negative: Representatives Blust, Creech, Davis, and Sherrill - 4.

Excused absences: Representatives Brubaker, Cunningham, Decker, Esposito, Hiatt, Hunter, McAllister, Nesbitt, and Starnes - 9.

**H.J.R. 652**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF MACCLESFIELD ON THE TOWN'S CENTENNIAL ANNIVERSARY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

### INTRODUCTION OF PAGES

Pages for the week of May 7 are introduced to the membership. They are: Raquel Barbour of Wake; Ryan Boyce of Wake; Sandra Bratcher of Hoke; Matthew Coleman of Wake; Amy Denson of Richmond; Allison Fowler of Cumberland; Larry Holloway, Jr., of Wake; Victoria Hull of Henderson; Alison Miller of Cumberland; Clay Parker of Lincoln; Jarrette Pittman of Halifax; Andrew Wynn of Wake; and Nathaniel Wynn of Wake.

On motion of Representative Culpepper, seconded by Representative Boyd-McIntyre, the House adjourns at 7:30 p.m. to reconvene May 8 at 3:00 p.m.

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## SIXTIETH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, May 8, 2001



The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jonathan Jeffries, Highland United Methodist Church, Raleigh, North Carolina:

"Eternal God,

"You are our Creator, our Sustainer, and our Redeemer. Holy are You and blessed is Your name in all the earth.

"Thank You for Your presence in our lives. Thank You for our great nation in which we live. Thank You for each person here and their commitment to serving Your people and their commitment to make our world a better place to live.

"Merciful God, we confess that we have failed to be faithful to Your word. We have not loved You with our whole heart and we have not shown compassion to our neighbor. Forgive us we pray. Free us from our sin so we can be the people that You want us to be.

"We ask that Your presence be felt throughout the world now and forever. Where there is violence, let there be peace. Where there is hatred, let there be love. When issues threaten the moral fiber of our communities, nation, and world, let us stand for what is good and right. We especially lift up the conflict in Israel. Help bring peace to that region.

"Guide us now in our discussions. Help us follow Your will and not our own. Most importantly grant us Your love and peace. Amen."

"Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Daughtry, Esposito, and Starnes for today. Representative Redwine is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 931** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDGE TO CONDUCT OVERSIGHT OF THE DISCOVERY PROCESS IN A CAPITAL CASE TO ENSURE COMPLIANCE WITH CONSTITUTIONAL AND STATUTORY LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Edwards, Chair, for the Committee on Public Health:

**H.B. 236**, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WHOLLY WITHIN THE SANITARY DISTRICT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1062**, A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-

CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 9. The original bill is placed on the Unfavorable Calendar.

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

**S.B. 538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ALLOW MORE FLEXIBILITY IN CREATING TWO-COUNTY INDUSTRIAL PARKS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 645**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILKES COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE MOUNTAIN VIEW MEDICAL CENTER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

**S.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MUNICIPAL LAW ENFORCEMENT OFFICERS HAVE CONDITIONAL AUTHORITY TO SERVE CRIMINAL PROCESS IN THE COUNTY GOVERNMENT COMPLEX ONLY IN CARTERET COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 650**, A BILL TO BE ENTITLED AN ACT DIRECTING FORSYTH TECHNICAL COMMUNITY COLLEGE TO STUDY THE FEASIBILITY OF ESTABLISHING A SATELLITE CAMPUS IN STOKES COUNTY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

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

The following are introduced, read the first time and referred to committee:

By the Committee on Agriculture; Representatives Buchanan, Coates, Hilton, and Underhill:

**H.B. 1427**, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES TO THE DEFINITIONS USED FOR AGRICULTURAL, HORTICULTURAL, AND FORESTRY LAND; TO PERMIT A CHANGE OF OWNERSHIP WITH CONTINUED QUALIFICATION FOR DEFERRED TAX STATUS; TO PROVIDE AN OPTION FOR PREPAYMENT OF ANY DEFERRED TAXES; TO CREATE A STUDY; AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Finance.

### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 15** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A SCHOOL SYSTEM AND AMEND THE RECOMMENDED SCHOOL CLASSIFICATIONS BY ADDING THE DEFINITION OF THE TERM "MIDDLE SCHOOL", is returned for concurrence in Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

**S.B. 275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED REGISTRATION PROCEDURE FOR CANADIAN SECURITIES DEALERS AND SALESMEN, is read the first time and referred to the Committee on Finance.

### **CALENDAR**

Action is taken on the following:

May 8, 2001

**H.B. 85** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC.

On motion of Representative Sutton, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 229** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Daughtry, Esposito, and Starnes - 3.

**H.B. 616** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Daughtry, Esposito, and Starnes - 3.

### WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Allred and without objection, **S.B. 336** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES, is withdrawn from the Calendar and placed on the Calendar of May 9.

On motion of Representative Nesbitt and without objection, **S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, is withdrawn from the Calendar and placed on the Calendar of May 9.

On motion of Representative Luebke and without objection, **S.B. 587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, is withdrawn from the Calendar and placed on the Calendar of May 15.

**CALENDAR (continued)**

**S.B. 888** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION, passes its third reading, by the following vote, and is ordered enrolled and presented to the Governor.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: Representative Davis.

Excused absences: Representatives Daughtry, Esposito, and Starnes - 3.

**H.B. 143** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AND LOCAL GOVERNMENT AGENCIES THAT ACQUIRE LAND FOR WETLANDS MITIGATION TO REIMBURSE THE COUNTY IN WHICH THE LAND IS LOCATED FOR ITS LOST TAXES DUE TO THE ACQUISITION, passes its second reading, by electronic vote (111-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

**WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 38(b), the Chair withdraws **S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO

USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, from the Calendar and re-refers it to the Committee on Finance.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 221**, A BILL TO BE ENTITLED AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE CONFORMING CHANGES TO CHAPTER 126, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 262** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON IMPROPERLY CHARGED WITH A CRIMINAL OFFENSE AS A RESULT OF IDENTITY FRAUD MAY HAVE HIS OR HER RECORD EXPUNGED, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER, is withdrawn from the Calendar and placed on the Calendar of May 10.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 25**, AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES.



**H.B. 182**, AN ACT TO AMEND THE ANTI-LAPSE STATUTE TO PROVIDE THAT THE INTEREST OF A DECEASED CLASS MEMBER WHO LEAVES NO ISSUE DEVOLVES UPON THE REMAINING CLASS MEMBERS AND THE ISSUE OF OTHER DECEASED CLASS MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**H.B. 1117**, AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY HAS DISCRETION AS TO WHETHER TO SEEK THE DEATH PENALTY FOR A CAPITAL CASE.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 675**, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND SERVICES ON A REQUEST FOR PROPOSALS BASIS.

**H.B. 575**, AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF.

**H.B. 879**, AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS.

**H.J.R. 652**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF MACCLESFIELD ON THE TOWN'S CENTENNIAL ANNIVERSARY. (RESOLUTION 2001-10)

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 381**, AN ACT TO SET OUT THE BOUNDARIES OF THE TOWN OF BOSTIC AND TO VALIDATE ACTIONS OF THE TOWN. (S.L. 2001-43)

**H.B. 516**, AN ACT TO ASSIST WAKE COUNTY WITH THE CONSTRUCTION AND RENOVATION OF PUBLIC SCHOOL FACILITIES. (S.L. 2001-44)

**S.B. 557**, AN ACT TO INCORPORATE THE TOWN OF MILLERS CREEK, SUBJECT TO A REFERENDUM. (S.L. 2001-45)

**H.B. 651**, AN ACT TO AUTHORIZE THE CITY OF GREENVILLE AND THE TOWN OF CHAPEL HILL TO REQUIRE PRETOWING NOTICES BEFORE A MOTOR VEHICLE MAY BE TOWED FROM A PRIVATE LOT, GARAGE, OR OTHER PARKING FACILITY. (S.L. 2001-46)

**S.B. 655**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF COATS AND TO VALIDATE ACTIONS OF THE TOWN TAKEN WITH RESPECT TO THAT PROPERTY. (S.L. 2001-47)

**H.B. 664**, AN ACT RELATING TO ZONING PROTEST PROCEDURES IN THE CITY OF ROCKINGHAM. (S.L. 2001-48)

**S.B. 677**, AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WELDON. (S.L. 2001-49)

**H.B. 682**, AN ACT RELATING TO THE DEFINITION OF SUB-DIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THE COUNTY. (S.L. 2001-50)

**H.B. 683**, AN ACT TO CLARIFY THAT MEMBERS OF THE PLYMOUTH TOWN COUNCIL ELECTED FROM A WARD ARE VOTED ON ONLY WITHIN THAT WARD. (S.L. 2001-51)

**H.B. 726**, AN ACT RELATING TO REGULATION OF OCEAN ACTIVITIES BY DARE COUNTY. (S.L. 2001-52)

**H.B. 727**, AN ACT RELATING TO THE USE OF FUNDS BY THE DARE COUNTY DEPARTMENT OF SOCIAL SERVICES. (S.L. 2001-53)

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 541** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT SINGLE-FAMILY DWELLINGS USED AS FAMILY FOSTER HOMES OR THERAPEUTIC HOMES FROM SANITATION REQUIREMENTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 716** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS.

On motion of Representative Blue, the bill is withdrawn from the Calendar and placed on the Calendar of May 10.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 882** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**S.B. 463** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE PRACTICE OF NURSING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 30** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 9.

**S.B. 465** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DISCHARGE A FIREARM INTO

AN UNOCCUPIED BUILDING, VEHICLE, OR OTHER ENCLOSURE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Hall, the House adjourns at 3:44 p.m. to reconvene May 9 at 3:00 p.m.

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## SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES  
Wednesday, May 9, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following comments and prayer are offered by the Reverend Mike Frese, House Chaplain:

"I realize that it is not my place in this Body to make speeches. And forgive me if I now abuse the privileges of this podium. Yet, out of a deep pastoral concern, I feel compelled to speak.

"I realize the budget process has been and continues to be exceptionally difficult this year. Not only are the requests for worthy programs increasing, anticipated revenues are decreasing. This means each of you in the various appropriation committees on which you serve must make some very difficult decisions all of which will be criticized, attacked and second guessed. I'm sure that the constant harangue weighs upon your spirits.

"As one who is an onlooker to the process I have a simple sentiment to share. For your willingness to serve as a servant of this State, for accepting the call to become involved in the governing process, and for stepping up to committed leadership in a time when overall involvement is on the wane, I give God thanks. I admire your courage to put yourself on the line in an often criticized and rarely appreciated task. May God's grace rest upon you during this process, to give you strength, determination and perseverance. Let us pray."

May 9, 2001

"God of Wisdom and Insight, there are times when we must struggle between choosing divergent pathways, each of which appears to have equal potential. It is then that we most recognize our need for insight beyond ourselves and discernment above our intellect. Sustain us now, while we must consider these hard questions without easy answers. As we humbly submit to the leading of Your Spirit, converse with our consciences that we might choose not only the right path, but the path of righteousness. May our decisions not only be good, but filled with goodness. And may our choice not only be made well, but may they be made with mercy. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Daughtry, Dockham, Edwards, Esposito, Hackney, Haire, and Harrington for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

**STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR**  
20301 Mail Service Center Raleigh, NC 27699-0301

Michael F. Easley  
*Governor*

May 8, 2001

The Honorable James Black  
Speaker of the House  
North Carolina General Assembly  
2304 Legislative Building  
Raleigh, NC 27601

Dear Speaker Black:

Pursuant to North Carolina General Statute § 115C-10, I hereby appoint Ms. Patricia Willoughby, Mr. Wayne McDevitt and Dr. Michelle Howard-Vital to the North Carolina State Board of Education and submit their names for confirmation by the North Carolina General Assembly. Their

May 9, 2001

terms will begin immediately pending confirmation and expire on March 31, 2009.

Patricia Willoughby will fill the seat currently held by Eddie Davis, Wayne McDevitt will fill the seat currently held by Robert Douglas, and Michelle Howard-Vital will fill the seat currently held by Margaret Harvey.

Enclosed is biographical information on these appointees. Please feel free to call on them or members of my staff if you need additional information.

With kindest regards, I remain.

Very truly yours,  
S/ Michael F. Easley  
*Governor*

The Speaker refers the letter to the Committee on Education.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 221**, AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE CONFORMING CHANGES TO CHAPTER 126.

**S.B. 888**, AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION.

**H.B. 85**, AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC.

**H.B. 329**, AN ACT PERTAINING TO TRANSPORTATION SERVICES OFFERED BY ADULT DAY CARE PROGRAMS.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Jarrell, Chair, for the Committee on Local Government II:

**S.B. 678** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESIDENCE DISTRICTS FOR THE GATES COUNTY BOARD OF EDUCATION AND THE GATES COUNTY BOARD OF COMMISSIONERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 10.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 708**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Barefoot, Chair, for the Committee on Cultural Resources:

**H.B. 763**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF ROCKINGHAM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**S.B. 347** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REGARDING THE USE OF STATE-OWNED PROPERTY IN THE BLOUNT STREET HISTORIC DISTRICT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

On motion of the Chair, and without objection, the House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 757**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 10. The original bill is placed on the Unfavorable Calendar.

**H.B. 1052** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 668**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:



By Representative Luebke:

**H.B. 1428**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LOCAL OPTION LAND TRANSFER TAX LAW TO ALL COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

**H.B. 1429**, A BILL TO BE ENTITLED AN ACT TO SUPPORT PUBLIC EDUCATION BY RAISING REVENUE BY CREATING A NEW TAX BRACKET FOR UPPER-INCOME INDIVIDUALS, is referred to the Committee on Finance.

By Representatives Luebke and Allen (Primary Sponsors):

**H.B. 1430**, A BILL TO BE ENTITLED AN ACT TO ADJUST TAX RATES AND MAKE OTHER CHANGES TO THE TAX LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 196**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE RESTORATION OF THE FAIR BARN IN THE VILLAGE OF PINEHURST FROM THE PUBLIC BIDDING LAWS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 10.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 386** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 10.

**H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY

INTERESTS TO FEDERAL AGENCIES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

### CALENDAR

Action is taken on the following:

**H.B. 15** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A SCHOOL SYSTEM AND AMEND THE RECOMMENDED SCHOOL CLASSIFICATIONS BY ADDING THE DEFINITION OF THE TERM "MIDDLE SCHOOL".

On motion of Representative Warner, the House concurs in the Senate amendment by electronic vote (109-0). The bill is ordered enrolled and presented to the Governor.

**S.B. 229** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hall, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Blue, Daughtry, Dockham, Edwards, Esposito, Hackney, Haire, and Harrington - 8.

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON.

On motion of Representative Fitch, the bill is withdrawn from the Calendar and placed on the Calendar of May 24.

**S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE.

On motion of Representative Nesbitt, the bill is withdrawn from the Calendar and re-referred to the Committee on Local Government II.

**S.B. 336** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES.

On motion of Representative Allred, the bill is withdrawn from the Calendar and placed on the Calendar of May 15.

**S.B. 645**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILKES COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE MOUNTAIN VIEW MEDICAL CENTER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 650**, A BILL TO BE ENTITLED AN ACT DIRECTING FORSYTH TECHNICAL COMMUNITY COLLEGE TO STUDY THE FEASIBILITY OF ESTABLISHING A SATELLITE CAMPUS IN STOKES COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 667** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MUNICIPAL LAW ENFORCEMENT OFFICERS HAVE

CONDITIONAL AUTHORITY TO SERVE CRIMINAL PROCESS IN THE COUNTY GOVERNMENT COMPLEX ONLY IN CARTERET COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 1062** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Ellis, Fitch, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hall, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representative Hensley.

Excused absences: Representatives Blue, Daughtry, Dockham, Edwards, Esposito, Hackney, Haire, and Harrington - 8.

**S.B. 30** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 302** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM

CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART, passes its second reading, by electronic vote (94-13).

Representative Pope objects to the third reading. The bill remains on the Calendar.

**S.B. 463** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO THE PRACTICE OF NURSING, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 538**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ALLOW MORE FLEXIBILITY IN CREATING TWO-COUNTY INDUSTRIAL PARKS, passes its second reading, by electronic vote (100-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.J.R. 689**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF RAEFORD ON THE CITY'S ONE HUNDREDTH ANNIVERSARY.

On motion of Representative Culpepper and without objection, Rule 41(a) is suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT

COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Education.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Wright, Chair, for the Committee on Health:

**S.B. 542**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF DARE TO EXERCISE THE POWER OF EMINENT DOMAIN TO FACILITATE BEACH NOURISHMENT AND SHORELINE PRESERVATION ACTIVITIES, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I and, if favorable, to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 633** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A BUILDING CODE PILOT PROGRAM FOR REHABILITATING EXISTING BUILDINGS; and

**S.B. 819**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A PERSON WHO PLEADS GUILTY OR NO CONTEST TO A CLASS H

OR I FELONY IN DISTRICT COURT AND RECEIVES A PROBATIONARY SENTENCE WILL HAVE ANY RESULTING PROBATION VIOLATION HEARING HELD IN DISTRICT COURT, AND THAT AN APPEAL FROM A SUBSEQUENT PROBATION REVOCATION WILL BE HEARD IN THE COURT OF APPEALS.

On motion of Representative Culpepper, seconded by Representative Insko, the House adjourns at 4:55 p.m. to reconvene May 10 at 11:00 a.m.

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## **SIXTY-SECOND DAY**

HOUSE OF REPRESENTATIVES  
Thursday, May 10, 2001

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O, God, You are our refuge and strength. When we are bewildered by life's problems, You come and sustain us. When we are wounded by life's sorrows, You bring healing to our lives. When we feel overwhelmed in the calling You have committed to us, You strengthen us. When we have fallen in sin and are burdened by guilt, You forgive us.

"Come now, loving Lord, attend the needs of our souls. Help us so to believe in Your power that we would open our lives to You and invite Your presence to dwell within us. In so doing, may we experience the height of Your love, the breadth of Your grace, and the fullness of Your mercy. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Edwards, Esposito, Hackney, Harrington, McLawhorn, and Womble for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

May 10, 2001

**S.B. 30**, AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS.

**S.B. 463**, AN ACT TO AMEND THE LAWS RELATING TO THE PRACTICE OF NURSING.

**S.B. 538**, AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ALLOW MORE FLEXIBILITY IN CREATING TWO-COUNTY INDUSTRIAL PARKS.

**H.B. 15**, AN ACT TO AMEND THE DEFINITION OF A SCHOOL SYSTEM AND AMEND THE RECOMMENDED SCHOOL CLASSIFICATIONS BY ADDING THE DEFINITION OF THE TERM "MIDDLE SCHOOL".

**H.B. 274**, AN ACT TO AMEND CERTAIN STATUTORY TERMS AND REFERENCES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

**H.B. 902**, AN ACT TO ADD AN APPOINTEE OF THE COMMISSION ON INDIGENT DEFENSE SERVICES TO THE STATE JUDICIAL COUNCIL.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 229**, AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH.

**S.B. 645**, AN ACT TO AUTHORIZE THE WILKES COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE MOUNTAIN VIEW MEDICAL CENTER.

**S.B. 650**, AN ACT DIRECTING FORSYTH TECHNICAL COMMUNITY COLLEGE TO STUDY THE FEASIBILITY OF ESTABLISHING A SATELLITE CAMPUS IN STOKES COUNTY.

**S.B. 667**, AN ACT TO PROVIDE THAT MUNICIPAL LAW ENFORCEMENT OFFICERS HAVE CONDITIONAL AUTHORITY TO



SERVE CRIMINAL PROCESS IN THE COUNTY GOVERNMENT COMPLEX ONLY IN CARTERET COUNTY.

**H.B. 7**, AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR COLLECTION IN WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS I FELONIES AND CLASS 1 MISDEMEANORS AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL CHANGES.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 689**, A JOINT RESOLUTION HONORING THE FOUNDERS OF THE CITY OF RAEFORD ON THE CITY'S ONE HUNDRETH ANNIVERSARY. (RESOLUTION 2001-11)

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 675**, AN ACT AUTHORIZING THE CITY OF WINSTON-SALEM AND FORSYTH COUNTY TO PURCHASE OR LEASE TELECOMMUNICATIONS, DATA PROCESSING AND DATA COMMUNICATIONS EQUIPMENT, SOFTWARE, SUPPLIES, AND SERVICES ON A REQUEST FOR PROPOSALS BASIS. (S.L. 2001-54)

**H.B. 575**, AN ACT REVISING AND CLARIFYING THE BOUNDARIES OF THE TOWN OF FAIR BLUFF. (S.L. 2001-55)

**H.B. 879**, AN ACT TO ALLOW HAYWOOD COUNTY TO ADJUST THE BOUNDARIES OF CHAPTER 69 FIRE TAX DISTRICTS. (S.L. 2001-56)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 825**, A BILL TO BE ENTITLED AN ACT TO ALLOW CORRECTIONAL OFFICERS AND PROBATION/PAROLE OFFICERS OF THE DEPARTMENT OF CORRECTION TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-EIGHT YEARS OF SERVICE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**S.B. 158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MONROE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 14.

**S.B. 544**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN INCONSISTENCY IN THE HENDERSON FIREMEN'S SUPPLEMENTAL RETIREMENT ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 14.

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

The following are introduced, read the first time and referred to committee:

By Representative Hackney:

**H.B. 1431**, A BILL TO BE ENTITLED AN ACT TO PREVENT DOUBLE TAXATION OF MOTOR VEHICLES WHOSE TAX YEAR CHANGES DUE TO A CHANGE IN REGISTRATION, is referred to the Committee on Finance.

By Representative Insko:

**H.B. 1432**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN REGIONAL PUBLIC TRANSIT AUTHORITIES TO LEVY A SUPPLEMENTAL VEHICLE REGISTRATION TAX TO FUND MAJOR TRANSIT IMPROVEMENTS, is referred to the Committee on Finance.

By Representative Church:

**H.B. 1433**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHOLESALE DRUG DISTRIBUTOR LICENSING FEE FOR SMALL BUSINESSES, is referred to the Committee on Finance.

By Representatives Walend and M. Crawford:

**H.B. 1434**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MANNER IN WHICH ENTERPRISE TIER DESIGNATIONS ARE ASSIGNED UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Finance.

By Representatives Walend and M. Crawford:

**H.B. 1435**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MANNER IN WHICH ENTERPRISE TIER DESIGNATIONS ARE ASSIGNED UNDER THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Finance.

By Representative Pope:

**H.B. 1436**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CONTINUING CARE RETIREMENT CENTER PROPERTY TAX EXEMPTION TO REAL PROPERTY LEASED BY THE CENTER, is referred to the Committee on Finance.

By Representative Russell:

**H.B. 1437**, A BILL TO BE ENTITLED AN ACT TO REVISE THE FORMULA FOR DETERMINING ENTERPRISE TIERS UNDER THE BILL LEE ACT IN ORDER TO MAKE THE ACT FAIR AND EQUITABLE FOR ALL ONE HUNDRED COUNTIES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Warner and M. Crawford:

**H.B. 1438**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INCOME TAX COMPENSATION PAID TO MILITARY PERSONNEL FOR CERTAIN SERVICES PERFORMED OUTSIDE OF THIS STATE, is referred to the Committee on Finance.

By Representative Miner:

**H.B. 1439**, A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF THE UPPER CAPE FEAR WATER AUTHORITY, is referred to the Committee on Finance.

By Representatives Luebke, Miller, and Weiss:

**H.B. 1440**, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO FOCUS INCENTIVES UNDER THAT ACT IN THE MOST ECONOMICALLY DISTRESSED AREAS OF THE STATE BY ELIMINATING INCENTIVES IN ENTERPRISE TIER FOUR AND FIVE AREAS; TO REQUIRE A STUDY OF THE BILL LEE ACT; TO REQUIRE THE DEPARTMENT OF COMMERCE TO CONDUCT A PUBLIC HEARING ON ECONOMIC DEVELOPMENT PROJECTS AT THE REQUEST OF LOCAL GOVERNMENT; TO TAX SALES OF MOST ELECTRICITY AT THREE PERCENT; TO REQUIRE THE DEPARTMENT OF COMMERCE TO PUBLISH INFORMATION ABOUT CREDITS UNDER THE BILL LEE ACT AND RELATED BENEFITS; AND TO ENCOURAGE ECONOMIC DEVELOPMENT BY PROVIDING FUNDS FOR CLEAN WATER, is referred to the Committee on Finance.

By Representatives Luebke and Miller:

**H.B. 1441**, A BILL TO BE ENTITLED AN ACT TO MAKE ADDITIONAL CHANGES TO THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Luebke:

**H.B. 1442**, A BILL TO BE ENTITLED AN ACT TO APPLY THE METHOD FOR DETERMINING THE AMOUNT OF THE PORTS TAX CREDIT TO THE CALCULATION OF THE CREDIT FOR MANUFACTURING CIGARETTES, THEREBY ENSURING THAT THE MANUFACTURERS' CREDIT PROMOTES AN INCREASE IN ECONOMIC ACTIVITY, is referred to the Committee on Finance.

By Representative Luebke:

**H.B. 1443**, A BILL TO BE ENTITLED AN ACT TO MODIFY STATE TAX EXPENDITURES TO SUPPORT EDUCATION AND TO PROVIDE FOR A MORE EFFICIENT AND EQUITABLE TAX SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Luebke, Allen, Buchanan, and Wainwright:

**H.B. 1444**, A BILL TO BE ENTITLED AN ACT TO RAISE REVENUE FOR THE HEALTH INSURANCE PROGRAM FOR CHILDREN, is referred to the Committee on Finance.

By Representative Luebke:

**H.B. 1445**, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE TAXATION OF FINANCIAL INSTITUTIONS BY REPEALING THE STATE PRIVILEGE LICENSE TAX IMPOSED ON THEIR ASSETS AND BY CONFORMING TO FEDERAL LAW, is referred to the Committee on Financial Institutions and, if favorable, to the Committee on Finance.

By Representatives Allred and Ellis:

**H.B. 1446**, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE PROPERTY TAX ON FAMILY VEHICLES AND TO REPLACE THE REVENUE WITH A HALF-CENT SALES TAX DISTRIBUTED TO LOCAL GOVERNMENTS ON A PER CAPITA BASIS, is referred to the Committee on Finance.

By Representatives Allred, M. Crawford, Ellis, Gulley, Justus, McComas, and Warner:

**H.B. 1447**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OUT-OF-STATE TUITION MUST BE SET AT A LEVEL TO RECOVER THE FULL COST OF THE EDUCATION, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representative Buchanan:

**H.B. 1448**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES, is referred to the Committee on Finance.

By Representative Blue:

**H.B. 1449**, A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS UNDER THE NORTH CAROLINA VETERINARY PRACTICE ACT AND AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO ESTABLISH AND INCREASE CERTAIN FEES,

is referred to the Committee on Health and, if favorable, to the Committee on Finance.

By Representatives Ellis, Allen, Allred, Barbee, Brubaker, Buchanan, Capps, M. Crawford, Culp, Davis, Hill, Hunter, Justus, Morris, Rogers, Russell, Sexton, Warner, and G. Wilson:

**H.B. 1450**, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR FUNDING PUBLIC SCHOOL CONSTRUCTION FROM THE COUNTIES TO THE STATE, TO EXEMPT OWNER-OCCUPIED RESIDENCES FROM PROPERTY TAXES, AND TO LEVY AN INDIVIDUAL INCOME SURTAX TO REPLACE THE RESIDENTIAL PROPERTY TAX, is referred to the Committee on Finance.

### WITHDRAWAL OF BILLS FROM CALENDAR

Pursuant to Rule 36(b)(2), the Chair withdraws the following bills from the Calendar pursuant to Rule 36(b) and re-refers them to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 910**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ISSUE AN ORDER FOR ARREST WHEN A DEFENDANT FAILS TO APPEAR IN COURT AFTER RECEIVING A CITATION FOR A MISDEMEANOR;

**S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES; and

**S.B. 931** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDGE TO CONDUCT OVERSIGHT OF THE DISCOVERY PROCESS IN A CAPITAL CASE TO ENSURE COMPLIANCE WITH CONSTITUTIONAL AND STATUTORY LAW.

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Local Government I.

**CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 196**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE RESTORATION OF THE FAIR BARN IN THE VILLAGE OF PINEHURST FROM THE PUBLIC BIDDING LAWS.

On motion of Representative Morgan, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-2), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 386** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS.

On motion of Representative Yongue, the House concurs in the Senate committee substitute bill, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 757** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Cole, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Ellis, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Haire, Hall, Hensley, Hiatt, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Oldham, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, Wright, and Yongue - 91.

Voting in the negative: Representatives Allred, Baker, Brubaker, Capps, Coates, Creech, Davis, Eddins, Gillespie, Hilton, Justus, Nye, Pope, Rayfield, Setzer, Warwick, and G. Wilson - 17.

Excused absences: Representatives Edwards, Esposito, Hackney, Harrington, McLawhorn, and Womble - 6.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 38(b), the Chair withdraws **S.B. 668** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, from the Calendar and refers it to the Committee on Finance.

### **CALENDAR (continued)**

**S.B. 678** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESIDENCE DISTRICTS FOR THE GATES COUNTY BOARD OF EDUCATION AND THE GATES COUNTY BOARD OF COMMISSIONERS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 1062** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 14.

**S.B. 302** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART.

On motion of Representative Barefoot and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 14.



**S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER.

On motion of Representative Bonner, the bill is withdrawn from the Calendar by electronic vote (101-9) and placed on the Calendar of May 15.

Representatives McComas and Sexton request and are granted permission to be recorded as voting "aye". The adjusted vote total is (103-9).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 310** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE.

On motion of the Chair, the bill is temporarily displaced.

**S.B. 716** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS.

On motion of Representative Blue and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 16.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 11:29 a.m. to reconvene Monday, May 14, 2001, at 7:00 p.m.

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## SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Monday, May 14, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

May 14, 2001

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, we come before You to seek Your guidance and know Your will. Hide not Your face from us. Inspire our thoughts, that with wisdom we may address the items on our agenda. Inspire our hearts, that with compassion and mercy we may approach the tasks before us. Inspire our actions, that with truth and justice we might live out our faith and bring glory to Your name. O Lord, the entirety of our being is at Your disposal. Use us as vessels of Your grace and peace. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Brubaker, Dockham, Esposito, Hiatt, Hunter, Jeffus, Sexton, and Warner for today. Representative Thompson is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 262**, AN ACT TO PROVIDE THAT A PERSON IMPROPERLY CHARGED WITH A CRIMINAL OFFENSE AS A RESULT OF IDENTITY FRAUD MAY HAVE HIS OR HER RECORD EXPUNGED.

**S.B. 541**, AN ACT TO EXEMPT SINGLE-FAMILY DWELLINGS USED AS FAMILY FOSTER HOMES OR THERAPEUTIC HOMES FROM SANITATION REQUIREMENTS.

**S.B. 882**, AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT.

**H.B. 386**, AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS.

**H.B. 421**, AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL.

**H.B. 609**, AN ACT TO SPECIFY THE MINIMUM SEPARATION DISTANCES BETWEEN A WELL SERVING CERTAIN SINGLE-FAMILY DWELLINGS AND CERTAIN OTHER STRUCTURES ON THE SAME LOT AND TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A TEMPORARY RULE TO INCORPORATE THOSE MINIMUM SEPARATION DISTANCES.

**H.B. 1108**, AN ACT TO PROVIDE THAT PUBLIC AUTHORITIES ARE ELIGIBLE FOR GRANTS FROM THE PARKS AND RECREATION TRUST FUND.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 678**, AN ACT TO ESTABLISH RESIDENCE DISTRICTS FOR THE GATES COUNTY BOARD OF EDUCATION AND THE GATES COUNTY BOARD OF COMMISSIONERS.

**H.B. 159**, AN ACT TO PROVIDE THAT THE BEAR HUNTING SEASON IN MARTIN COUNTY APPLIES TO THE ENTIRE COUNTY.

**H.B. 172**, AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CEDAR POINT AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION.

**H.B. 196**, AN ACT TO EXEMPT FROM THE PUBLIC BIDDING LAWS THE VILLAGE OF PINEHURST IN THE RESTORATION OF THE FAIR BARN AND COLLEGE OF THE ALBEMARLE IN THE CONSTRUCTION OF A MULTIPURPOSE FACILITY IN THE CITY OF ELIZABETH CITY.

**H.B. 794**, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM ACROSS THE RIGHT-OF-WAY OF A PUBLIC ROAD IN CALDWELL COUNTY FOR THE PURPOSE OF TARGET PRACTICE.

**H.B. 819**, AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM.

**H.B. 856**, AN ACT TO ALLOW CARTERET COUNTY TO ENTER INTO SEPARATE-PRIME CONTRACTS OR A SINGLE-PRIME CONTRACT IN THE RENOVATION OF THE FORMER A&P SHOPPING CENTER IN MOREHEAD CITY FOR THE CARTERET COUNTY HEALTH AND HUMAN SERVICES BUILDING.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 229**, AN ACT REVISING THE BOUNDARY LINE BETWEEN THE TOWNS OF CAROLINA BEACH AND KURE BEACH BY REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA BEACH AND ADDING THE PROPERTY TO THE LIMITS OF THE TOWN OF KURE BEACH. (S.L. 2001-57)

**S.B. 645**, AN ACT TO AUTHORIZE THE WILKES COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN DESCRIBED PROPERTY BY PRIVATE SALE TO THE MOUNTAIN VIEW MEDICAL CENTER. (S.L. 2001-58)

**S.B. 650**, AN ACT DIRECTING FORSYTH TECHNICAL COMMUNITY COLLEGE TO STUDY THE FEASIBILITY OF ESTABLISHING A SATELLITE CAMPUS IN STOKES COUNTY. (S.L. 2001-59)

**S.B. 667**, AN ACT TO PROVIDE THAT MUNICIPAL LAW ENFORCEMENT OFFICERS HAVE CONDITIONAL AUTHORITY TO SERVE CRIMINAL PROCESS IN THE COUNTY GOVERNMENT COMPLEX ONLY IN CARTERET COUNTY. (S.L. 2001-60)

**H.B. 7**, AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT ATTORNEY FOR COLLECTION IN WORTHLESS CHECK CASES IN CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES PUNISHABLE AS CLASS 1 FELONIES AND CLASS 1 MISDEMEANORS AS WELL AS THOSE PUNISHABLE AS CLASS 2 MISDEMEANORS AND TO MAKE OTHER CLARIFYING, CONFORMING, AND TECHNICAL CHANGES. (S.L. 2001-61)

**H.B. 142**, AN ACT TO AMEND THE MARRIAGE STATUTES TO BROADEN THE LIST OF PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES; TO VALIDATE A MARRIAGE LICENSED AND SOLEMNIZED BY A FEDERALLY RECOGNIZED INDIAN TRIBE OR NATION; TO REQUIRE JUDICIAL AUTHORIZATION BEFORE A FOURTEEN- OR FIFTEEN- YEAR-OLD APPLICANT MAY BE MARRIED; TO PROHIBIT MARRIAGE BY ANYONE UNDER FOURTEEN YEARS OF AGE; TO LIMIT THE REGISTER OF DEEDS' RESPONSIBILITY IN ISSUING MARRIAGE LICENSES TO VERIFYING OBJECTIVE

REQUIREMENTS; TO PROVIDE A PROCEDURE BY WHICH A PERSON MAY APPLY FOR A MARRIAGE LICENSE WITHOUT APPEARING IN PERSON; TO EXPAND THE GEOGRAPHICAL SCOPE OF A MARRIAGE LICENSE; TO MAKE INCLUSION OF RACE ON THE LICENSE OPTIONAL; AND TO ALLOW FOR CORRECTIONS OF ERRORS IN THE APPLICATION OR LICENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION. (S.L. 2001-62)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 370**, A BILL TO BE ENTITLED AN ACT AMENDING THE JOINT SECURITY FORCE PROVISIONS FOR STATE FACILITIES FOR MENTALLY ILL PERSONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 499** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO ADOPTION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 15. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 130**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF BEAUFORT, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Public Utilities.

The committee substitute bill is re-referred to the Committee on Public Utilities. The original bill is placed on the Unfavorable Calendar.

**H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE

BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of May 15.

**S.B. 132** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 15.

**S.B. 243** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 399**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 15.

**S.B. 434**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 15.

**S.B. 486**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 15.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 16**, A BILL TO BE ENTITLED AN ACT TO ABOLISH MUNICIPAL BOARDS OF ELECTIONS, REQUIRING THAT ALL ELECTIONS BE CONDUCTED BY COUNTY BOARDS OF ELECTIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 15. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 162**, A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 15. The original bill is placed on the Unfavorable Calendar.

**S.B. 396** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Jarrell, Chair, for the Committee on Local Government II:

**S.B. 401** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST FORSYTH COUNTY AND STANLY COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES,

with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 15. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 617** (Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 15. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 1036**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 1004**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL PENALTY FOR THAT OFFENSE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT, is returned for concurrence in one Senate amendment.



Pursuant to Rule 36(b), the bill is placed on the Calendar of May 15.

### CALENDAR

Action is taken on the following:

**S.B. 310** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**H.B. 757** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WASHINGTON COUNTY TO INCREASE ITS ROOM OCCUPANCY TAX FOR TOURISM PROMOTION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hill, Holliman, Howard, Hurley, Insko, Jarrell, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warren, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, and Yongue - 84.

Voting in the negative: Representatives Allred, Baker, Capps, Coates, M. Crawford, Creech, Davis, Eddins, Gillespie, Harrington, Hilton, Kiser, Nye, Rayfield, Setzer, Shubert, Underhill, and Warwick - 18.

Excused absences: Representatives Arnold, Brubaker, Dockham, Desposito, Hiatt, Hunter, Jeffus, Sexton, and Warner - 9.

**S.B. 158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE MONROE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 544**, A BILL TO BE ENTITLED AN ACT TO CORRECT AN INCONSISTENCY IN THE HENDERSON FIREMEN'S SUPPLEMENTAL RETIREMENT ACT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 1062** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS.

Representative Redwine offers Amendment No. 1 which is adopted, by electronic vote (102-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered and engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Howard, Hurley, Insko, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, and Yongue - 99.

Voting in the negative: Representative Carpenter.

Excused absences: Representatives Arnold, Brubaker, Dockham, Esposito, Hiatt, Hunter, Jeffus, Sexton, and Warner - 9.

**H.B. 1052** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS.

Representative Allred moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Transportation.

The motion fails by electronic vote (9-95).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Coates, Cole, Cox, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hensley, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 96.

Voting in the negative: Representatives Allred, Carpenter, J. Crawford, Davis, Dedmon, Earle, Hall, and Saunders - 8.

Excused absences: Representatives Arnold, Brubaker, Dockham, Esposito, Hiatt, Hunter, Jeffus, Sexton, and Warner - 9.

**S.B. 302** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART.

Representative Sherrill offers Amendment No. 1 which is adopted by electronic vote (104-0).

The bill, as amended, passes its third reading, by electronic vote (94-8), and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 542** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.J.R. 770**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HERMAN HARLEY "BULL" WEST, ONE OF WESTERN NORTH CAROLINA'S MOST DISTINGUISHED CITIZENS.

On motion of Representative Culpepper and without objection, Rule 41(a) is suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### **INTRODUCTION OF PAGES**

Pages for the week of May 14 are introduced to the membership. They are: Caroline Brown of Pitt; Betsy Corbett of Pender; John Crotts of Cumberland; Jennie Dickens of Wake; Julie Katherine Dickens of Wake; Bradon Diggs of Pender; Ceia Font of Cumberland; Terence Gatling of Gates; Sean Gustafson of Transylvania; Ashley Hitt of Pender; Crystal Stroup of Edgecombe; and Thomas Tyler of Wake.

Receiving Special Recognition from the Tarheel Challenge Academy are: Eric Flores of Cumberland; Khalia Thomas of Durham; and Dustin Walthall of Person.

Serving as Honorary Page is Emily Dickens of Wake.

### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1024** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALTER THE MANNER IN WHICH MEMBERS OF THE ENVIRONMENTAL MANAGEMENT COMMISSION ARE APPOINTED AND TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE COMMISSION, is withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Bowie, the House adjourns at 8:11 p.m. to reconvene May 15 at 3:00 p.m.

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## **SIXTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, May 15, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, You are not distant from our lives, but are entwined in our existence. Even as needs arise, You are already there, revealing Your presence and offering Your power. Open now our eyes, that we might see You offering us what we need today.

"To those who are challenged to let go of their principles or waver in their ideals, be their firm foundation.

"To those whose personal lives are in turmoil or transition, be their refuge.

"To those who are searching for direction and seeking Your will, be their guiding light.

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"To those who are weary in doing good or worn out in their service to others, be their strength.

"To those who feel under attack for their faith or assaulted for their moral stands, be their shield.

"To those whose souls are restless and are seeking security in their lives, be their home.

"Come, O Lord, and reveal yourself in our need. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito and McComas for today. Representative Hunter is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 437**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 16. The original bill is placed on the Unfavorable Calendar.

**S.B. 137** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 16.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 739** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES AND LICENSED CLINICAL SOCIAL WORKERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 16. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 16.

**S.B. 735**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE EDUCATION CABINET, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 16.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Smith, Barefoot, Grady, and Preston:

**H.J.R. 1451**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LIEUTENANT GENERAL JOHN ARCHER LEJEUNE AND SUPPORTING THE MARINE CORPS MUSEUM OF THE CAROLINAS, is referred to the Committee on Rules, Calendar, and Operations of the House.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, is returned for concurrence in Senate Amendment No. 1.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 16.

**H.B. 608** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 16.

Senate Committee Substitute for **H.B. 700** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE THE NAME ON THE NOTARY SEAL DOES NOT COMPORT EXACTLY WITH THE NAME ON THE NOTARY COMMISSION, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1285** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 16.

**S.B. 860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO

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CONDUCT TRUST BUSINESS ON AN INTERSTATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD OF DIRECTORS, is read the first time and referred to the Committee on Financial Institutions and, if favorable, to the Committee on Finance.

### CALENDAR

Action is taken on the following:

On motion of the Chair and without objection, **H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

Representatives Blue, Cox, J. Crawford, Cunningham, and Davis request and are granted permission to be recorded as voting "aye". The adjusted vote total is (112-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 261**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT.

On motion of Representative Smith, the House concurs in the Senate amendment by electronic vote (113-1), and the bill is ordered enrolled and presented to the Governor.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Luebke and without objection, **S.B. 587** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM TO REQUIRE OWNERS OF LANDMARKS AND BUILDINGS WITHIN HISTORIC DISTRICTS TO MAINTAIN THEIR PROPERTY IN GOOD CONDITION, is withdrawn

from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR (continued)

**S.B. 336** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES.

Representative Cole offers Amendment No. 1 which is adopted by electronic vote (114-0).

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING.

On motion of Representative McMahan, the bill is withdrawn from the Calendar and placed on the Calendar of May 16.

**S.B. 399**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 401** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST FORSYTH COUNTY AND STANLY COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 486**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT

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A PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 617** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**H.B. 1052** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS.

Representative Capps offers Amendment No. 1 which fails of adoption, by electronic vote (30-84).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Clary, Coates, Cole, Cox, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Decker, Dockham, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Allred, Carpenter, J. Crawford, Davis, Dedmon, Earle, Hall, Saunders, and Sutton - 9.

Excused absences: Representatives Esposito and McComas - 2.

**S.B. 162** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS.

On motion of Representative Allen and without objection, the bill is temporarily displaced.

**S.B. 16** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ABOLISH MUNICIPAL BOARDS OF ELECTIONS IN MUNICIPALITIES OTHER THAN MORGANTON, GRANITE FALLS, OLD FORT, AND RHODHISS.

Representative Michaux offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Representatives Decker and Pope request and are granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

**S.B. 132** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER.

Representative Bonner offers Amendment No. 1 which is adopted by electronic vote (112-0).

Representative Miller moves that the bill be withdrawn from the Calendar and be re-referred to the Committee on Appropriations.

Representative Miller withdraws his motion.

The bill, as amended, passes its second reading, by electronic vote (107-6).

Representative Miller objects to the third reading. The bill remains on the Calendar.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 342**, AN ACT RELATING TO THE ADMISSIBILITY, PHOTOGRAPHIC REPRODUCTION, AND RETENTION OF RECORDS OF THE EMPLOYMENT SECURITY COMMISSION.

The following bills and resolution are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 158**, AN ACT TO REPEAL THE MONROE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

**S.B. 544**, AN ACT TO CORRECT AN INCONSISTENCY IN THE HENDERSON FIREMEN'S SUPPLEMENTAL RETIREMENT ACT.

**H.B. 321**, AN ACT CONCERNING ANNEXATION OF NON-CONTIGUOUS AREAS BY THE CITY OF SALISBURY.

**H.B. 555**, AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE.

**H.B. 697**, AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION.

**H.B. 712**, AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY.

**H.B. 804**, AN ACT TO AUTHORIZE ANSON, CRAVEN, MCDOWELL, MONTGOMERY, AND PAMLICO COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION.

**H.B. 807**, AN ACT CONCERNING ANNEXATION OF NON-CONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE.

**H.B. 880**, AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES.

**S.J.R. 770**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HERMAN HARLEY "BULL" WEST, ONE OF WESTERN NORTH CAROLINA'S MOST DISTINGUISHED CITIZENS. (RESOLUTION 2001-12)

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 678**, AN ACT TO ESTABLISH RESIDENCE DISTRICTS FOR THE GATES COUNTY BOARD OF EDUCATION AND THE GATES COUNTY BOARD OF COMMISSIONERS. (S.L. 2001-63)

**H.B. 159**, AN ACT TO PROVIDE THAT THE BEAR HUNTING SEASON IN MARTIN COUNTY APPLIES TO THE ENTIRE COUNTY. (S.L. 2001-64)

**H.B. 172**, AN ACT TO ESTABLISH A NO-WAKE ZONE FOR THE TOWN OF CEDAR POINT AND AREAS WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION. (S.L. 2001-65)

**H.B. 196**, AN ACT TO EXEMPT FROM THE PUBLIC BIDDING LAWS THE VILLAGE OF PINEHURST IN THE RESTORATION OF THE FAIR BARN AND COLLEGE OF THE ALBEMARLE IN THE CONSTRUCTION OF A MULTIPURPOSE FACILITY IN THE CITY OF ELIZABETH CITY. (S.L. 2001-66)

**H.B. 794**, AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM ACROSS THE RIGHT-OF-WAY OF A PUBLIC ROAD IN

CALDWELL COUNTY FOR THE PURPOSE OF TARGET PRACTICE. (S.L. 2001-67)

**H.B. 819**, AN ACT AMENDING THE CHARTER OF THE CITY OF ROCKINGHAM. (S.L. 2001-68)

**H.B. 856**, AN ACT TO ALLOW CARTERET COUNTY TO ENTER INTO SEPARATE-PRIME CONTRACTS OR A SINGLE-PRIME CONTRACT IN THE RENOVATION OF THE FORMER A&P SHOPPING CENTER IN MOREHEAD CITY FOR THE CARTERET COUNTY HEALTH AND HUMAN SERVICES BUILDING. (S.L. 2001-69)

### CALENDAR (continued)

**S.B. 499** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATING TO ADOPTION, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 708** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following report from standing committee is presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR JAILS AND FOR WATER AND SEWER

PROJECTS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 719** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY, is withdrawn from the Committee on Transportation and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1023**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM ELECTRONIC TRANSACTIONS ACT, is withdrawn from the Committee on Ways and Means and re-referred to the Committee on Science and Technology.

On motion of Representative Culpepper, seconded by Representative Preston, the House adjourns at 4:19 p.m. to reconvene May 16 at 3:00 p.m.

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## SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, May 16, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, in You there is no variableness or shadow of change. You are perfect and pure in all that You do. We, however, cannot claim such rectitude. We are not without fault or failing. Forgive us, we pray, for failing to be the people You have called us to be. Save us from inflated valuations of personal goodness that come from measuring ourselves by minimal standards. Keep our eyes set upon Your perfection, that we might perceive our need for Your grace. May the awareness of our own need for

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forgiveness bring with it a healthy humility that we might look at the shortcomings of others with mercy and grace. Help us to forgive others with the same generosity in which You have forgiven us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito, Fitch, and Miner for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 132**, AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING.

**H.B. 261**, AN ACT TO AMEND THE STATE VETERANS HOME ACT.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 399**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE.

**S.B. 486**, AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**S.B. 749**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE NURSING HOME ADMINISTRATOR ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 453** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF LEXINGTON TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF THE CITY'S OVERGROWN VEGETATION ORDINANCE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 666** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 346** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW REGARDING THE CRIMINAL OFFENSE OF STALKING AND CERTAIN DOMESTIC VIOLENCE LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Appropriations.

The House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 300** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS

RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 969**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 17. The original bill is placed on the Unfavorable Calendar.

By Representative Insko, Chair, for the Committee on Aging:

**S.B. 178** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AN INSTRUMENT FOR ASSESSING THE QUALITY OF CARE PROVIDED BY ADULT CARE HOMES, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1241**, A BILL TO BE ENTITLED AN ACT TO INCLUDE SICK LEAVE IN THE COMPUTATION OF SERVICE RETIREMENT BENEFITS FOR MEMBERS OF THE JUDICIAL RETIREMENT SYSTEM IN THE

SAME MANNER THAT IT IS INCLUDED FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**S.B. 241** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAW MAKING IT A FELONY FOR AN INSURANCE FIDUCIARY TO CAUSE TERMINATION OF GROUP HEALTH OR LIFE INSURANCE COVERAGE BY NONPAYMENT OF PREMIUM WITHOUT GIVING NOTICE TO MEMBERS OF THE GROUP, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

**S.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 380**, A BILL TO BE ENTITLED AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 17.

**S.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO COUNTIES FOR USE IN PROGRAMS OF PROVIDING DONATED MOTOR VEHICLES TO LOW-INCOME PERSONS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Saunders and Tolson, Chairs, for the Committee on Science and Technology:

**S.B. 1070** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A DISPUTE RESOLUTION PROCEDURE TO ASSIST THE OFFICE OF INFORMATION TECHNOLOGY IN THE COLLECTION OF FEES RELATED TO INFORMATION TECHNOLOGY SERVICES PROVIDED BY THE OFFICE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 17.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 958**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS, is returned for concurrence in Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 17.

**H.B. 1083** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 17.

### CALENDAR

Action is taken on the following:

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING.

On motion of Representative Yongue, the House concurs in the Senate amendment, by electronic vote (109-0), and the bill is ordered enrolled and presented to the Governor.

Representative Insko requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (110-0).

**H.B. 608** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES.

On motion of Representative Walend, the House concurs in the Senate committee substitute bill, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1285** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING.

On motion of Representative McLawhorn, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 162** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan,

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Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Baker and Gillespie - 2.

Excused absences: Representatives Esposito, Fitch, and Miner - 3.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Baddour and without objection, **S.B. 243** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, is withdrawn from the Calendar and referred to the Committee on Judiciary II.

### CALENDAR (continued)

**S.B. 439** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot,

Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 116.

Voting in the negative: None.

Excused absences: Representatives Esposito, Fitch, and Miner - 3.

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW.

Representative Ellis offers Amendment No. 1.

On motion of Representative Michaux, the bill with pending Amendment No. 1, is withdrawn from the Calendar and placed on the Calendar of May 22.

**S.B. 396** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes,



Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Allred, Baker, Coates, Creech, Davis, Decker, Eddins, Gillespie, Rayfield, Setzer, and Thompson - 11.

Excused absences: Representatives Esposito, Fitch, and Miner - 3.

**S.B. 264**, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER.

Representative Miller offers Amendment No. 2 which is adopted by electronic vote (115-1).

The bill, as amended, passes its third reading, by electronic vote (115-1), and is ordered sent to the Senate for concurrence in House amendment.

**S.B. 370**, A BILL TO BE ENTITLED AN ACT AMENDING THE JOINT SECURITY FORCE PROVISIONS FOR STATE FACILITIES FOR MENTALLY ILL PERSONS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS.

On motion of Representative Russell, and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 22.

**S.B. 716** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (115-0).

The bill, as amended, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

**S.B. 735**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE EDUCATION CABINET, passes its second reading, by electronic vote (113-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 739** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED MARRIAGE AND FAMILY THERAPISTS, passes its second reading, by electronic vote (110-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 626** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 17. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Representative Culpepper moves, seconded by Representative Adams, that the House adjourn, subject to announcements, to reconvene May 17 at 12:00 Noon.

The motion carries.

### **ADDENDA TO COMMITTEE ASSIGNMENTS**

May 16, 2001

The Speaker makes the following committee assignments:

**CONGRESSIONAL REDISTRICTING:** Add Representatives Cunningham and Buchanan.

The House stands adjourned at 4:30 p.m.

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## **SIXTY-SIXTH DAY**

HOUSE OF REPRESENTATIVES

Thursday, May 17, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Faithful God, when our spirits become parched and our souls are wilted, You renew us with the refreshing rain of Your presence. Even now, Your Spirit flows within us offering us streams of living water. Yet, full agendas and busy schedules push us ever onward and we do not stop to drink from the well of Your grace. And so we thirst. We thirst for a touch of grace, of hope, of forgiveness, of promise.

"We pause now to create an oasis of peace in our frantic day. We linger to sip, no gulp, the grace You freely offer. Rejuvenate our faith. Restore our souls. Renew our lives. Let the rain of Your presence fall on us. Amen."

May 17, 2001

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Dockham, Easterling, Ellis, Esposito, Miner, Oldham, and Warren for today. Representatives Hunter, Jeffus, Luebke, Redwine, Russell, Sherrill, and Thompson are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 302**, AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART.

**S.B. 310**, AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE.

**S.B. 370**, AN ACT AMENDING THE JOINT SECURITY FORCE PROVISIONS FOR STATE FACILITIES FOR MENTALLY ILL PERSONS.

**S.B. 542**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES.

**S.B. 735**, AN ACT TO MODIFY THE MEMBERSHIP OF THE EDUCATION CABINET.

**H.B. 352**, AN ACT TO REPEAL THE EXPIRATION DATE IN THE RISK SHARING PLAN LAW.

**H.B. 434**, AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION.

**H.B. 446**, AN ACT TO AUTHORIZE LOCAL ABC BOARDS TO ENTER COOPERATIVE AGREEMENTS FOR MANAGEMENT OF ABC STORES.

**H.B. 608**, AN ACT TO MODIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES.

**H.B. 723**, AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST.

**H.B. 837**, AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES.

**H.B. 1143**, AN ACT TO AMEND THE LAW REGARDING THE ISSUANCE OF ABC PERMITS TO RESIDENTIAL PRIVATE CLUBS AND SPORTS CLUBS.

**H.B. 1285**, AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 439**, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 158**, AN ACT TO REPEAL THE MONROE FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (S.L. 2001-70)

**S.B. 544**, AN ACT TO CORRECT AN INCONSISTENCY IN THE HENDERSON FIREMEN'S SUPPLEMENTAL RETIREMENT ACT. (S.L. 2001-71)

**H.B. 321**, AN ACT CONCERNING ANNEXATION OF NON-CONTIGUOUS AREAS BY THE CITY OF SALISBURY. (S.L. 2001-72)

**H.B. 555**, AN ACT TO AUTHORIZE THE HALIFAX REGIONAL AIRPORT AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN USING THE "QUICK TAKE" PROCEDURE. (S.L. 2001-73)

**H.B. 697**, AN ACT TO MAKE MODIFICATIONS TO THE BRUNSWICK FIRE FEE LEGISLATION. (S.L. 2001-74)

**H.B. 712**, AN ACT TO ANNEX CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF MOREHEAD CITY. (S.L. 2001-75)

**H.B. 804**, AN ACT TO AUTHORIZE ANSON, CRAVEN, MCDOWELL, MONTGOMERY, AND PAMLICO COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION. (S.L. 2001-76)

**H.B. 807**, AN ACT CONCERNING ANNEXATION OF NON-CONTIGUOUS AREAS BY THE TOWN OF WINTERVILLE. (S.L. 2001-77)

**H.B. 880**, AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES. (S.L. 2001-78)

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

May 17, 2001

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 353** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 833** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT ILLEGAL TO POSSESS ANY FORM OF FALSE IDENTIFICATION WHILE ATTEMPTING TO OBTAIN ALCOHOLIC BEVERAGES WHEN UNDERAGE, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 1389**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Jarrell, Chair, for the Committee on State Government:

**S.B. 367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF

THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN, AND TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY THE APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT TO THESE AGENCIES, with a favorable report.

Pursuant to Rule 32(a), the bill is re-referred to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Pope:

**H.B. 1452**, A BILL TO BE ENTITLED AN ACT TO ADOPT A NORTH CAROLINA HOUSE REDISTRICTING PLAN FOR THE WAKE COUNTY AREA-1, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Pope:

**H.B. 1453**, A BILL TO BE ENTITLED AN ACT TO ADOPT A NORTH CAROLINA HOUSE REDISTRICTING PLAN FOR THE WAKE COUNTY AREA-2, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MATTHEWS TO LEASE THE 1874 MATTHEWS DEPOT FOR A TERM OF MORE THAN TEN YEARS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 21.



Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 866** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 21.

**H.B. 875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE WILDLIFE RESOURCES COMMISSION TO ASSIST THE TOWN OF BILTMORE FOREST IN REDUCING ITS DEER POPULATION TO A MANAGEABLE LEVEL, is returned for concurrence in Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 21.

**H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY, is returned for concurrence in Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 21.

## CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute **for H.B. 700** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS WHERE THE NAME ON THE NOTARY SEAL DOES NOT COMPORT EXACTLY WITH THE NAME ON THE NOTARY COMMISSION.

On motion of Representative Barefoot, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

Senate Committee Substitute for **H.B. 857**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT AN AREA MENTAL AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (99-2), and the bill is ordered enrolled and presented to the Governor.

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (100-2).

**H.B. 958**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS.

On motion of Representative Insko, the House concurs in the Senate amendment, by electronic vote (103-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1083** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON.

On motion of Representative Hackney, the House concurs in the Senate committee substitute bill, by electronic vote (106-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 453** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITIES OF LEXINGTON AND WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF OVERGROWN VEGETATION ORDINANCES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 666** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**H.B. 437** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY PLACE, WHETHER LOCATED IN THIS STATE OR OUT-OF-STATE, DELIVERING OR DISPENSING DEVICES OR MEDICAL EQUIPMENT TO A USER IN THIS STATE SHALL COMPLY WITH THE REGISTRATION REQUIREMENTS OF THE BOARD OF PHARMACY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Eddins, Edwards, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: None.

Excused absences: Representatives Dockham, Easterling, Ellis, Esposito, Jeffus, Miner, Oldham, Redwine, Sherrill, Thompson, and Warren - 11.

**S.B. 162** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS.

On motion of the Chair, and without objection, the bill is temporarily displaced.

**S.B. 396** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES, passes its third reading, by electronic vote (98-9), and is ordered enrolled and presented to the Governor.

Representative Sherrill requests and is granted permission to be recorded as voting "aye". Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (98-10).

**S.B. 162** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS, which was temporarily displaced, is before the Body.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Eddins, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives Baker, Gillespie, and Underhill - 3.

Excused absences: Representatives Dockham, Easterling, Ellis, Esposito, Jeffus, Miner, Oldham, Redwine, Thompson, and Warren - 10.

**H.B. 969** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.

On motion of Representative Hackney, the bill is withdrawn from the Calendar and re-referred to the Committee on Appropriations.

**S.B. 380**, A BILL TO BE ENTITLED AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES, passes its second reading, by electronic vote (111-0), and remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 434**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representative Blue requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 626** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A PILOT PROGRAM TO REVIEW DOMESTIC VIOLENCE FATALITIES.

Representative Alexander offers Amendment No. 1 which is adopted by electronic vote (110-0).

On motion of Representative C. Wilson, the bill is withdrawn from the Calendar, ordered engrossed, and re-referred to the Committee on Rules, Calendar, and Operations of the House, by electronic vote (106-3).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1004** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL PENALTY FOR THAT OFFENSE, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 110**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1036** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

Representative Allred requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (107-1).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Financial Institutions and re-referred to the Committee on Finance:

**S.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION; and

**S.B. 311**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Public Utilities.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 1098** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIUM ON OUTDOOR ADVERTISING ALONG INTERSTATE HIGHWAY 40 AND TO REMOVE THE SUNSET, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources.

**BILL RECALLED FROM ENROLLING**

On motion of Representative Culpepper, **H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, is recalled from Enrolling, by electronic vote (106-1).

On motion of Representative Culpepper, the vote by which the House concurred in Senate Amendment No. 1 is reconsidered, by electronic vote (105-0).

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 22.

On motion of Representative Culpepper, seconded by Representative Insko, the House adjourns at 1:24 p.m. to reconvene Monday, May 21, 2001, at 7:00 p.m.

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**SIXTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, May 21, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, You alone are omniscient. You alone see from the perspective of eternity. We, however, are limited in our vision. Our knowledge is incomplete and our understanding is imperfect. Yet, we are asked to make decisions that affect millions. At such times we are painfully aware of our finitude.

"Gracious Lord, save us from a fear of failure that paralyzes us into inaction. Protect us from a sense of futility that forfeits responsibility and leads to despair. Rather, with a deep trust in Your guidance and a strong belief in Your Spirit's work among us, lead us forward to perform well our

May 21, 2001



duties to debate, adjudicate, and legislate on behalf of our State and for the good of Your kingdom. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Cole, Dockham, Ellis, Esposito, Goodwin, Hiatt, Hunter, McMahan, Miner, Morris, Nesbitt, Starnes, Sutton, and Thompson for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 731**, A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODIFY THE PROCESS FOR DEVELOPMENT OF COORDINATED TRANSPORTATION PLANS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 22. The original bill is placed on the Unfavorable Calendar.

By Representative Bonner, Chair, for the Committee on Education:

**S.B. 71** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of May 22. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**S.B. 803**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE UNIVERSITY SYSTEM, THE COMMUNITY COLLEGES SYSTEM, AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO WORK CO-OPERATIVELY TO EXPAND OPPORTUNITIES FOR MILITARY PERSONNEL TO TAKE TEACHER EDUCATION CLASSES PRIOR TO DISCHARGE FROM THE MILITARY, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 22.

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

The following is introduced, read the first time and referred to committee:

By Representatives Holmes, Arnold, Baker, Barbee, Bowie, Brubaker, Creech, Daughtry, Davis, Decker, Dockham, Eddins, Edwards, Gray, Hill, Hurley, Johnson, Kiser, McComas, McCombs, McMahan, Mitchell, Pope, Russell, Sherrill, Starnes, Teague, Thompson, Walend, Weatherly, West, and G. Wilson:

**H.R. 1454**, A HOUSE RESOLUTION PROVIDING THAT THE GOVERNOR'S WITHHOLDING OF LOCAL GOVERNMENT REIMBURSEMENTS BE THE SAME PERCENTAGE AS HIS REQUIRED 3.6% REDUCTIONS OF ALL STATE AGENCIES, is referred to the Committee on Appropriations.

### **CALENDAR**

Action is taken on the following:

Senate Committee Substitute for **H.B. 504** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ALLOWING THE TOWN OF MATTHEWS TO LEASE THE 1874 MATTHEWS DEPOT FOR A TERM OF MORE THAN TEN YEARS.

On motion of Representative Gulley, the House concurs in the Senate committee substitute bill, which changes the title, and the bill is ordered enrolled.

**H.B. 866** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS.

On motion of Representative Warren, the House concurs in the Senate committee substitute bill, and the bill is ordered enrolled.

**H.B. 875** (Committee Substitute), A BILL TO BE ENTITLED AN ACT DIRECTING THE WILDLIFE RESOURCES COMMISSION TO ASSIST THE TOWN OF BILTMORE FOREST IN REDUCING ITS DEER POPULATION TO A MANAGEABLE LEVEL.

On motion of Representative Walend, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled and presented to the Governor.

**H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY.

On motion of Representative Russell, the House concurs in the Senate amendment, by electronic vote (98-0), and the resolution is ordered enrolled.

### WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Saunders and without objection, **S.B. 380**, A BILL TO BE ENTITLED AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES, is withdrawn from the Calendar and placed on the Calendar of May 22.

On motion of Representative Rogers and without objection, **S.B. 300** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION, is withdrawn from the Calendar and placed on the Calendar of May 23.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 749**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE NURSING HOME ADMINISTRATOR ACT, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### INTRODUCTION OF PAGES

Pages for the week of May 21 are introduced to the membership. They are: Henry Alexander Alston of Wake; Elliott Brown of Columbus; John Francis of Stokes; Christi Faith Freeman of Buncombe; Lisa Frist of Buncombe; Justin Jetton of Wake; Gary Quiller of Wake; David Robinson of Buncombe; Seth Steele of Guilford; Jason Van Hanswyk of Wake; and Maria Villalobos of Wake.

Representative Culpepper moves, seconded by Representative Fox that the House adjourn, subject to the ratification of bills, to reconvene May 22 at 2:00 p.m.

The motion carries.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 396**, AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES.

**S.B. 434**, AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS.

**S.B. 499**, AN ACT TO AMEND THE LAWS RELATING TO ADOPTION.

**S.B. 708**, AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS.

**H.B. 700**, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

**H.B. 857**, AN ACT TO CLARIFY THAT AN AREA MENTAL HEALTH AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK.

**H.B. 958**, AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS.

**H.B. 1083**, AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 401**, AN ACT TO ASSIST FORSYTH COUNTY AND STANLY COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES.

**S.B. 617**, AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS.

**S.B. 651**, AN ACT TO PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTING THE MEMBERS OF THE MOUNT AIRY PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT OF AND FOR THE CITY OF MOUNT AIRY UPON THE ADOPTION OF AN ORDINANCE BY THE CITY OF MOUNT AIRY EXTENDING ITS JURISDICTION ONE MILE BEYOND ITS CORPORATE LIMITS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 1161**, 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. (RESOLUTION 2001-13)

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 399**, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE CHARTER OF THE CITY OF CHARLOTTE. (S.L. 2001-79)

**S.B. 486**, AN ACT AUTHORIZING THE TOWN OF KERNERSVILLE TO CONVEY CERTAIN PROPERTY AT A PRIVATE SALE. (S.L. 2001-80)

**H.B. 1117**, AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY HAS DISCRETION AS TO WHETHER TO SEEK THE DEATH PENALTY FOR A CAPITAL CASE. (S.L. 2001-81)

**H.B. 410**, AN ACT TO PERMIT COMMUNITY COLLEGE BOARDS TO DISPOSE OF CERTAIN REAL AND PERSONAL PROPERTY WITHOUT THE APPROVAL OF THE STATE BOARD OF COMMUNITY COLLEGES. (S.L. 2001-82)

**H.B. 182**, AN ACT TO AMEND THE ANTI-LAPSE STATUTE TO PROVIDE THAT THE INTEREST OF A DECEASED CLASS MEMBER WHO LEAVES NO ISSUE DEVOLVES UPON THE REMAINING CLASS MEMBERS AND THE ISSUE OF OTHER DECEASED CLASS MEMBERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2001-83)

**S.B. 25**, AN ACT TO CLARIFY THE STATE'S AUTHORITY TO LEASE-PURCHASE THREE CLOSE SECURITY CORRECTIONAL FACILITIES. (S.L. 2001-84)

**H.B. 736**, AN ACT TO REQUIRE THAT LONG-TERM CARE FACILITIES POST INFORMATION ABOUT STAFFING LEVELS. (S.L. 2001-85)

**H.B. 979**, AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ISSUE SPECIAL HIGH SCHOOL DIPLOMAS TO VETERANS OF WORLD WAR II WHO HAVE NOT PREVIOUSLY RECEIVED DIPLOMAS. (S.L. 2001-86)

**H.B. 150**, AN ACT TO WAIVE THE PENALTIES FOR FAILURE TO MEET CERTAIN TAX-RELATED DEADLINES BECAUSE OF A PRESIDENTIALLY DECLARED DISASTER. (S.L. 2001-87)

**S.B. 439**, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING. (S.L. 2001-88)

**H.B. 85**, AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC. (S.L. 2001-89)

**H.B. 329**, AN ACT PERTAINING TO TRANSPORTATION SERVICES OFFERED BY ADULT DAY CARE PROGRAMS. (S.L. 2001-90)

**S.B. 888**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEES FOR NONRESIDENT HUNTING LICENSES, TO PROVIDE FOR A BEAR/WILD BOAR HUNTING LICENSE, AND TO MAKE OTHER CHANGES AFFECTING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION. (S.L. 2001-91)

**S.B. 221**, AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE CONFORMING CHANGES TO CHAPTER 126. (S.L. 2001-92)

**S.B. 30**, AN ACT TO MAKE IT UNLAWFUL TO TAKE SEA OATS. (S.L. 2001-93)

**S.B. 538**, AN ACT TO AMEND THE WILLIAM S. LEE QUALITY JOBS AND BUSINESS EXPANSION ACT TO ALLOW MORE FLEXIBILITY IN CREATING TWO-COUNTY INDUSTRIAL PARKS. (S.L. 2001-94)

**H.B. 274**, AN ACT TO AMEND CERTAIN STATUTORY TERMS AND REFERENCES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION. (S.L. 2001-95)

**H.B. 902**, AN ACT TO ADD AN APPOINTEE OF THE COMMISSION ON INDIGENT DEFENSE SERVICES TO THE STATE JUDICIAL COUNCIL. (S.L. 2001-96)

**H.B. 15**, AN ACT TO AMEND THE DEFINITION OF A SCHOOL SYSTEM AND AMEND THE RECOMMENDED SCHOOL CLASSIFICATIONS BY ADDING THE DEFINITION OF THE TERM "MIDDLE SCHOOL". (S.L. 2001-97)

**S.B. 463**, AN ACT TO AMEND THE LAWS RELATING TO THE PRACTICE OF NURSING. (S.L. 2001-98)

The House stands adjourned at 7:20 p.m.

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## SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, May 22, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Omnipotent God, heaven is Your throne and earth is Your footstool. You hold history in Your hand and society in Your heart. Your presence permeates all of life. All that exists is enveloped by Your love and embraced by Your care.

"Forgive us for falsely sequestering faith to merely a private matter without bearing for the public sector. If You are the Lord of life, then You are Lord of all of life. Therefore, teach us to see each question of policy in light of our faith. Grant us courage to stand upon the principles of our confession. May our votes reflect not only a personal and political consistency, but a consistency with Your will as it is revealed in Your word as well. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Fitch, Miner, and Starnes for today. Representatives Hunter and C. Wilson are excused for a portion of the session.

May 22, 2001



**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 739**, AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED MARRIAGE AND FAMILY THERAPISTS.

**S.B. 749**, AN ACT TO MAKE TECHNICAL CHANGES TO THE NURSING HOME ADMINISTRATOR ACT.

**H.B. 875**, AN ACT DIRECTING THE WILDLIFE RESOURCES COMMISSION TO ASSIST THE TOWN OF BILTMORE FOREST IN REDUCING ITS DEER POPULATION TO A MANAGEABLE LEVEL.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 504**, AN ACT ALLOWING THE TOWN OF MATTHEWS TO LEASE THE 1874 MATTHEWS DEPOT FOR A TERM OF MORE THAN TEN YEARS AND EXTENDING THE EXPIRATION DATE FOR THE COMPLETION OF CERTAIN REAL ESTATE TRANSACTIONS BY MECKLENBURG COUNTY.

**H.B. 671**, AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS.

**H.B. 866**, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS.

**H.B. 877**, AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 1163**, A JOINT RESOLUTION CONGRATULATING FORT BRAGG, CAMP LEJEUNE, AND SEYMOUR JOHNSON AIR FORCE BASE AS RECIPIENTS OF THE 2001 COMMANDER IN CHIEF'S

AWARD FOR INSTALLATION EXCELLENCE AND HONORING THE MEMORY OF BRAXTON BRAGG, JOHN A. LEJEUNE, SEYMOUR JOHNSON, AND THE MEN AND WOMEN ASSIGNED TO THESE MILITARY INSTALLATIONS WHO DIED IN THE LINE OF DUTY. (RESOLUTION 2001-14)

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 401**, AN ACT TO ASSIST FORSYTH COUNTY AND STANLY COUNTY WITH EXPEDITING THE CONSTRUCTION OF PUBLIC SCHOOL FACILITIES. (S.L. 2001-99)

**S.B. 617**, AN ACT EXTENDING THE TERMS OF OFFICE FOR THE MAYOR AND TOWN COMMISSIONERS OF THE TOWN OF STOVALL AND STAGGERING THOSE TERMS. (S.L. 2001-100)

**S.B. 651**, AN ACT TO PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTING THE MEMBERS OF THE MOUNT AIRY PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT OF AND FOR THE CITY OF MOUNT AIRY UPON THE ADOPTION OF AN ORDINANCE BY THE CITY OF MOUNT AIRY EXTENDING ITS JURISDICTION ONE MILE BEYOND ITS CORPORATE LIMITS. (S.L. 2001-101)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.R. 1021**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RAILROAD EMPLOYEES WHO DIED WHILE IN THE PERFORMANCE OF THEIR DUTIES, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**S.J.R. 853**, A JOINT RESOLUTION ACCEPTING PROPERTIES OWNED BY THE STATE OF NORTH CAROLINA FOR INCLUSION IN THE STATE NATURE AND HISTORIC PRESERVE, with a favorable report as to House committee substitute joint resolution, unfavorable as to original joint resolution.

Pursuant to Rule 36(b), the House committee substitute joint resolution is placed on the Calendar of May 23. The original joint resolution is placed on the Unfavorable Calendar.

**S.B. 854**, A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE; TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE; TO CODIFY THESE REMOVALS; AND TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1255**, A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 397** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 553**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 635** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

**H.B. 687**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FORESTRY" SPECIAL REGISTRATION PLATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 759**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HARLEY OWNERS' GROUP" SPECIAL REGISTRATION PLATE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 936** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN ELIGIBILITY FOR BYRNE GRANT FUNDING, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### MESSAGE FROM THE SENATE

The following is received from the Senate:

**H.B. 262** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 23.

### WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 353** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION

OF TAX DEBTS, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Appropriations.

### GUESTS

The Speaker extends the courtesies of the floor to Ms. Lois Pulliam, Chief Clerk of the Kentucky House of Representatives; Anita Taylor, Assistant Director, Kentucky Legislative Research Commission; John Gillig, Chief of Staff for Kentucky Speaker of the House; and Tim Lowery, Office of Computer Information Technology.

### CALENDAR

Action is taken on the following:

**H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING.

On motion of Representative Yongue, the House does not concur in Senate amendment, by electronic vote (108-1), and conferees are requested.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 110** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF WORLD WAR II, THE KOREAN WAR, AND THE UNITED STATES NAVY SUBMARINE SERVICE.

On motion of Representative Cole and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 23.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Michaux and without objection, **S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is withdrawn from the Calendar and placed on the Calendar of May 24.

**CALENDAR (continued)**

**S.B. 380**, A BILL TO BE ENTITLED AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES, passes its third reading, by electronic vote (111-1), and is ordered enrolled and presented to the Governor.

**S.B. 71** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS, passes its second reading, by electronic vote (105-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute Bill No. 2.

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS.

Representative Russell offers Amendment No. 1 which is adopted by electronic vote (58-53).

Representative Johnson requests and is granted permission to be recorded as voting "no". The adjusted vote total is (58-54).

The Speaker stops debate and attends to the following business.

**CONFEREES APPOINTED**

The Speaker announces the following conferees on **H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING: Representatives Yongue, Chair; Bonner and Arnold.

The Senate is so notified by Special Message.

**CALENDAR (continued)**

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND

ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS, is before the Body.

The bill, as amended, passes its second reading, by electronic vote (79-34).

Representative Michaux objects to the third reading. The bill remains on the Calendar.

**S.B. 731** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODIFY THE PROCESS FOR DEVELOPMENT OF COORDINATED TRANSPORTATION PLANS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 803**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE UNIVERSITY SYSTEM, THE COMMUNITY COLLEGES SYSTEM, AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO WORK COOPERATIVELY TO EXPAND OPPORTUNITIES FOR MILITARY PERSONNEL TO TAKE TEACHER EDUCATION CLASSES PRIOR TO DISCHARGE FROM THE MILITARY, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Goodwin and without objection, **S.B. 833** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT FORMS OF IDENTIFICATION AN OFFENSE AND TO MAKE IT ILLEGAL TO POSSESS ANY FORM OF FALSE IDENTIFICATION WHILE ATTEMPTING TO OBTAIN ALCOHOLIC BEVERAGES WHEN UNDER-AGE, is withdrawn from the Calendar and placed on the Calendar of May 23.

On motion of the Chair and without objection, **S.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO PURCHASE



OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS, is withdrawn from the Calendar and placed on the Calendar of May 23.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO COUNTIES FOR USE IN PROGRAMS OF PROVIDING DONATED MOTOR VEHICLES TO LOW-INCOME PERSONS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1070** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A DISPUTE RESOLUTION PROCEDURE TO ASSIST THE OFFICE OF INFORMATION TECHNOLOGY IN THE COLLECTION OF FEES RELATED TO INFORMATION TECHNOLOGY SERVICES PROVIDED BY THE OFFICE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 274**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROVISION IN THE NORTH CAROLINA SECURITIES ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

**S.B. 398**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO THE DEFINITION OF UNDUE FAMILY HARDSHIP UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

**S.B. 431**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE VALUE THRESHOLDS OF LIMITED AND INTERMEDIATE LICENSES FOR INFLATION UNDER THE LAWS REGULATING GENERAL CONTRACTORS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 719** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 241** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A FAMILY DRUG TREATMENT COURT PROGRAM IN NORTH CAROLINA AND TO FUND THE PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1 and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Appropriations.

Committee Substitute Bill No. 2 is re-referred to the Committee on Appropriations. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**S.B. 67**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO CHANGE THE NAME OF THAT COMMITTEE ACCORDINGLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 23.

By Representatives Allen, Buchanan, Luebke and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1448**, A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

**S.B. 967**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 23. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Culpepper, seconded by Representative Esposito, the House adjourns at 4:23 p.m. to reconvene May 23 at 3:00 p.m.

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## SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, May 23, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

May 23, 2001

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, we have been elected or appointed as representatives of the people of this State and we have been called by You to be ambassadors of Your kingdom. By Your Spirit, teach us to integrate the dual roles of our service to others and to You. Infuse us with Your compassion, that we might respond to the spoken or unspoken cries of persons needing healing of mind, body, or soul. Use us as instruments of Your grace to those who need to begin again. Empower us to be agents of Your love to the lonely and the forgotten. May our personal interactions with others and the policy we enact be rooted in the common foundation of the love we have received in You to the end that Your will may be done on earth as it is in heaven. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hunter, Miner and Starnes for today. Representative Blue is excused for a portion of the session.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 7** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS WHO ARE JUVENILES TO THE JUVENILE LOCAL CRIME PREVENTION COUNCILS AND TO THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND BY ADDING THE ATTORNEY GENERAL TO THE STATE ADVISORY COUNCIL, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 1056**, A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Boyd-McIntyre, Chair, for the Committee on Children, Youth and Families:

**S.B. 876**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ATTENDANCE AT A DAY REPORTING CENTER BE A LEVEL ONE DISPOSITION FOR DELINQUENT JUVENILES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1077**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CAREER FIREFIGHTERS' AND RESCUE SQUAD WORKERS' BENEFITS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Insurance.

The bill is re-referred to the Committee on Insurance.

### **SUBCOMMITTEE REFERRAL**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer **H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, to the Committee on Education Subcommittee on Community Colleges.

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **H.R. 1021**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF RAILROAD EMPLOYEES WHO DIED WHILE IN THE PERFORMANCE

OF THEIR DUTIES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR

Action is taken on the following:

**H.B. 262** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY.

On motion of Representative Smith, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled.

Representative Justus requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

**H.B. 110** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF WORLD WAR II, THE KOREAN WAR, AND THE UNITED STATES NAVY SUBMARINE SERVICE.

Representative Creech offers an amendment.

On motion of Representative Creech, Rule 31(d) is suspended, by electronic vote (78-32), in order that the caption might be amended on the floor of the House.

Representative Creech withdraws his amendment.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard,

May 23, 2001

Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 111.

Voting in the negative: Representatives Creech, Hensley, and Kiser - 3.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

On motion of the Chair, **S.J.R. 853** (House Committee Substitute), A JOINT RESOLUTION ACCEPTING PROPERTIES OWNED BY THE STATE OF NORTH CAROLINA FOR INCLUSION IN THE STATE NATURE AND HISTORIC PRESERVE, is moved up on today's Calendar.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by the following three-fifths vote, and there being no objection is read a third time.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 112.

Voting in the negative: None.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

The bill, as amended, passes its third reading, by the following three-fifths vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

**H.B. 1448** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker,



Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

**S.B. 854** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, TO CODIFY THESE REMOVALS, TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, AND TO PROVIDE THAT A TECHNICAL AMENDMENT TO THE STATE CONSTITUTION RELATING TO ACCEPTANCE AND DEDICATION OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE SHALL BE SUBMITTED TO A VOTE OF THE PEOPLE AT THE NEXT STATEWIDE PRIMARY ELECTION.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (116-0).

The bill, as amended, passes its second reading, by the following three-fifths vote, and there being no objection is read a third time.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker, Capps, Creech, Hiatt, and Saunders - 5.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

The bill, as amended, passes its third reading, by the following three-fifths vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gully, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 111.

Voting in the negative: Representatives Carpenter, Creech, and Saunders - 3.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

**S.B. 967** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke,

McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Hunter, Miner, and Starnes - 3.

**S.B. 378**, A BILL TO BE ENTITLED AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS.

Representative Russell offers Amendment No. 2 which is adopted by electronic vote (109-6).

Representative Boyd-McIntyre offers Amendment No. 3 which fails of adoption by electronic vote (34-82).

The bill, as amended, passes its third reading, by electronic vote (82-33), and is ordered sent to the Senate for concurrence in House amendment.

Representative Redwine requests and is granted permission to change his vote from "aye to "no". The adjusted vote total is (81-34).

**S.B. 67**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO CHANGE THE NAME OF THAT COMMITTEE ACCORDINGLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 274**, A BILL TO BE ENTITLED AN ACT TO REPEAL AN OBSOLETE PROVISION IN THE NORTH CAROLINA SECURITIES

ACT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 300** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION.

Representative Rogers offers Amendment No. 1 which is adopted by electronic vote (109-2).

The bill, as amended, passes its second reading, by electronic vote (112-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 398**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO THE DEFINITION OF UNDUE FAMILY HARDSHIP UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

### CALENDAR (continued)

**S.B. 431**, A BILL TO BE ENTITLED AN ACT TO ADJUST THE VALUE THRESHOLDS OF LIMITED AND INTERMEDIATE LICENSES FOR INFLATION UNDER THE LAWS REGULATING GENERAL CONTRACTORS, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 833** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT

FORMS OF IDENTIFICATION AN OFFENSE AND TO MAKE IT ILLEGAL TO POSSESS ANY FORM OF FALSE IDENTIFICATION WHILE ATTEMPTING TO OBTAIN ALCOHOLIC BEVERAGES WHEN UNDER-AGE.

On motion of Representative Goodwin, the bill is withdrawn from the Calendar and placed on the Calendar of May 29.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

On motion of Representative Ellis, the bill is withdrawn from the Calendar and placed on the Calendar of May 24.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 264**, AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER.

**S.B. 380**, AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES.

**S.B. 803**, AN ACT TO DIRECT THE STATE UNIVERSITY SYSTEM, THE COMMUNITY COLLEGES SYSTEM, AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO WORK COOPERATIVELY TO EXPAND OPPORTUNITIES FOR MILITARY PERSONNEL TO TAKE TEACHER EDUCATION CLASSES PRIOR TO DISCHARGE FROM THE MILITARY.

**S.B. 942**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO COUNTIES FOR USE IN PROGRAMS OF PROVIDING DONATED MOTOR VEHICLES TO LOW-INCOME PERSONS.

**S.B. 1004**, AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL PENALTY FOR THAT OFFENSE.

**S.B. 1070**, AN ACT ESTABLISHING A DISPUTE RESOLUTION PROCEDURE TO ASSIST THE OFFICE OF INFORMATION TECHNOLOGY IN THE COLLECTION OF FEES RELATED TO INFORMATION TECHNOLOGY SERVICES PROVIDED BY THE OFFICE.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 336**, AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES.

**S.B. 453**, AN ACT AUTHORIZING THE CITIES OF LEXINGTON AND WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF OVERGROWN VEGETATION ORDINANCES.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 504**, AN ACT ALLOWING THE TOWN OF MATTHEWS TO LEASE THE 1874 MATTHEWS DEPOT FOR A TERM OF MORE THAN TEN YEARS AND EXTENDING THE EXPIRATION DATE FOR THE COMPLETION OF CERTAIN REAL ESTATE TRANSACTIONS BY MECKLENBURG COUNTY. (S.L. 2001-102)

**H.B. 671**, AN ACT ANNEXING A CERTAIN DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS. (S.L. 2001-103)

**H.B. 866**, AN ACT AUTHORIZING THE CITY OF GREENVILLE TO REQUIRE OWNERS OF RENTAL PROPERTY WITHIN THE CITY TO AUTHORIZE AN AGENT TO ACCEPT SERVICE OF PROCESS. (S.L. 2001-104)

**H.B. 877**, AN ACT ADDING CERTAIN DESCRIBED AREAS TO THE CORPORATE LIMITS OF THE CITY OF BREVARD AND PROVIDING THAT THE AREAS SHALL NOT BE CONSIDERED IN CALCULATING THE MAXIMUM AMOUNT OF SATELLITE ANNEXATIONS ALLOWED FOR THAT CITY. (S.L. 2001-105)

On motion of Representative Culpepper, seconded by Representative McLawhorn, the House adjourns at 4:49 p.m. to reconvene May 24 at 11:00 a.m.

May 23, 2001

## SEVENTIETH DAY

HOUSE OF REPRESENTATIVES  
Thursday, May 24, 2001

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, You are our strength. When we are weary from our work, tired of the demands placed upon us, or tempted to give up the fight of faith, we come to You. O God, You are our refuge. When we are under attack for our principles, assaulted by life's difficulties, or assailed by fears and doubts within, we come to You.

"As we come to You in prayer, grant us confidence in Your love, that You will hear our prayer and administer Your mercy. Grant us certainty of Your power, that You are able to do far more for us than we can ever ask or even imagine. Grant us confidence in Your wisdom, that You will answer our prayers not in the imperfection of our requests, but in the perfection of Your judgment that knows what is best for us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Capps, Fitch, Gray, Miner, and Starnes for today. Representatives Culp and Dockham are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 67, AN ACT TO ALLOW THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO CHANGE THE NAME OF THAT COMMITTEE ACCORDINGLY, AS RECOMMENDED**

May 24, 2001

BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE.

**S.B. 162**, AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS.

**S.B. 274**, AN ACT TO REPEAL AN OBSOLETE PROVISION IN THE NORTH CAROLINA SECURITIES ACT.

**S.B. 431**, AN ACT TO ADJUST THE VALUE THRESHOLDS OF LIMITED AND INTERMEDIATE LICENSES FOR INFLATION UNDER THE LAWS REGULATING GENERAL CONTRACTORS.

**S.B. 1036**, AN ACT TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT.

**H.B. 262**, AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 311**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Wright, Chair, for the Committee on Health:



**S.B. 390**, A BILL TO BE ENTITLED AN ACT REQUIRING THE NORTH CAROLINA MEDICAL BOARD TO IMPLEMENT POLICIES TO TRAIN AND EDUCATE PERSONS LICENSED TO PRACTICE OR PERSONS DESIRING TO PRACTICE MEDICINE IN THIS STATE ON ISSUES RELATED TO PHYSICIAN-ASSISTED SUICIDE, reported without prejudice as to House committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the House committee substitute bill be re-referred to the Committee on Judiciary II.

The House committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 1149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 29.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1160** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 29.

### CALENDAR

Action is taken on the following:

May 24, 2001

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON.

On motion of the Chair and without objection, the bill is temporarily displaced.

**H.B. 110** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF WORLD WAR II, THE KOREAN WAR, AND THE UNITED STATES NAVY SUBMARINE SERVICE.

The bill passes its third reading pursuant to Rule 20(g), by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cox, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: Representatives Creech, Hensley, Kiser, and Sutton - 4.

Excused absences: Representatives Capps, Fitch, Gray, Miner, and Starnes - 5.

**H.B. 1448** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Capps, Fitch, Gray, Miner, and Starnes - 5.

**S.B. 967** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW.

On motion of Representative Allen and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 553** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS AND FOR VETERANS OF THE ARMED SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Buchanan, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris,

Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 102.

Voting in the negative: Representatives Boyd-McIntyre, Creech, Hensley, and Kiser - 4.

Excused absences: Representatives Capps, Fitch, Gray, Miner, and Starnes - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FORESTRY" SPECIAL REGISTRATION PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Buchanan, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Harrington, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Shubert, Smith, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 100.

Voting in the negative: Representatives Blue, Bowie, Creech, Hall, Hensley, Kiser, McAllister, and Sutton - 8.

Excused absences: Representatives Capps, Fitch, Gray, Miner, and Starnes - 5.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HARLEY OWNERS' GROUP" SPECIAL REGISTRATION PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Bell, Blust, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Harrington, Hiatt, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McMahan, Michaux, Miller, Morgan, Morris, Nesbitt, Nye, Oldham, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Teague, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, and Womble - 81.

Voting in the negative: Representatives Barefoot, Barnhart, Blue, Bonner, Bowie, Carpenter, Creech, Daughtry, Decker, Hall, Hensley, Holmes, Hunter, Jarrell, Kiser, McAllister, McCombs, McLawhorn, Mitchell, Owens, Rayfield, Setzer, Sutton, Thompson, Tolson, Walend, and Yongue - 27.

Excused absences: Representatives Capps, Fitch, Gray, Miner, and Starnes - 5.

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, is before the Body, with Amendment No. 1 pending.

Representative Ellis withdraws Amendment No. 1.

Representative Ellis offers Amendment No. 2.

On motion of the Chair and without objection, the bill is temporarily displaced, with Amendment No. 2 pending.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 719** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT

DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY.

On motion of Representative Hackney and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 30.

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted by electronic vote (79-30).

Representative Kiser offers Amendment No. 3 which is adopted by electronic vote (82-26).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 103.

Voting in the negative: Representatives Baker, Barnhart, Carpenter, Davis, Hensley, Hilton, and Kiser - 7.

Excused absences: Representatives Capps, Culp, Fitch, Gray, Miner, and Starnes - 6.

**S.B. 852**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP

INSURANCE FOR PUBLIC WORKS PROJECTS, passes its third reading, by electronic vote (107-0), and is ordered enrolled and presented to the Governor.

### **BILLS RE-CALENDAR**

On motion of the Chair and without objection, the following bills which would appear on the Calendar of May 28 are placed on the Calendar of May 29:

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON;

**S.B. 967** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW;

**H.B. 553** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS AND FOR VETERANS OF THE ARMED SERVICES;

**H.B. 687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FORESTRY" SPECIAL REGISTRATION PLATE;

**H.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HARLEY OWNERS' GROUP" SPECIAL REGISTRATION PLATE;

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW;

**S.B. 397** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS; and

**S.B. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY.

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 91**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF ADDITIONAL DEALER PLATES TO BUSINESSES ENGAGED IN THE ALTERATION AND SALE OF SPECIALTY VEHICLES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

On motion of Representative Culpepper, seconded by Representative Insko, the House adjourns at 12:18 p.m. to reconvene Monday, May 28, 2001, at 7:00 p.m.

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**SEVENTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Monday, May 28, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, we bow before You in the solemn remembrance that freedom is not free and our democratic process was purchased by the high price of human life. For those who gave their lives fighting for the ideals of freedom and justice, we are grateful. For their devotion to this country, we are humbled. Yet, we confess we have often taken our freedom for granted and have turned liberty into license. We are guilty of speaking well the words of justice, yet allowing class or color, gender or generation to skew our judgment. Forgive us when we fail to live up to the high calling of

May 28, 2001



equality for all and opportunity for everyone. Though our country might not be at war, we are participants in the battle for truth and justice. May we, like those whose lives were lost defending the liberty we enjoy, give our all in service to our fellow human beings in the quest for mercy and equity. Amen."

The Speaker Pro Tempore leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 71**, AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS.

**S.B. 716**, AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS.

**S.B. 731**, AN ACT TO UPDATE AND MODIFY THE PROCESS FOR DEVELOPMENT OF COORDINATED TRANSPORTATION PLANS.

**S.B. 852**, AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS.

**H.B. 331**, AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL PUBLIC MEMBERS OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION.

**H.B. 752**, AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS.

**H.B. 1090**, AN ACT PROVIDING THAT THE PRESIDENT OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER

SHALL SERVE AS AN EX OFFICIO MEMBER OF THE RURAL INTERNET ACCESS AUTHORITY.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 667**, AN ACT INCREASING THE NUMBER OF COMMISSIONERS FOR THE TOWN OF NEW LONDON, EXTENDING THE TERMS OF OFFICE FOR THE TOWN'S COMMISSIONERS AND MAYOR, AND STAGGERING THOSE TERMS.

**H.B. 744**, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY WEST SIDE LANDOWNERS ASSOCIATION, INC., IN MOORE COUNTY.

**H.B. 903**, AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN RICHMOND COUNTY.

**H.B. 929**, AN ACT TO RESTORE EXTRATERRITORIAL JURISDICTION AND RELATED POWERS TO THE TOWN OF MINNESOTT BEACH.

**H.B. 935**, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 336**, AN ACT TO MAKE IT UNLAWFUL TO FRAUDULENTLY OR UNNECESSARILY OBTAIN AMBULANCE SERVICES IN VARIOUS COUNTIES. (S.L. 2001-106)

**S.B. 453**, AN ACT AUTHORIZING THE CITIES OF LEXINGTON AND WINSTON-SALEM TO GIVE ANNUAL NOTICE TO CHRONIC VIOLATORS OF OVERGROWN VEGETATION ORDINANCES. (S.L. 2001-107)

**S.B. 262**, AN ACT TO PROVIDE THAT A PERSON IMPROPERLY CHARGED WITH A CRIMINAL OFFENSE AS A RESULT OF

IDENTITY FRAUD MAY HAVE HIS OR HER RECORD EXPUNGED. (S.L. 2001-108)

**S.B. 541**, AN ACT TO EXEMPT SINGLE-FAMILY DWELLINGS USED AS FAMILY FOSTER HOMES OR THERAPEUTIC HOMES FROM SANITATION REQUIREMENTS. (S.L. 2001-109)

**S.B. 882**, AN ACT TO CONFORM THE LAW GOVERNING CONTRACTS FOR "FUTURES" TO THE FEDERAL COMMODITY EXCHANGE ACT. (S.L. 2001-110)

**H.B. 386**, AN ACT TO MODIFY THE AUDIT PROCEDURES FOR COMMUNITY COLLEGE PROGRAMS. (S.L. 2001-111)

**H.B. 421**, AN ACT TO MODIFY THE PROCEDURE FOR SUBMITTING LOCAL BUDGETS TO THE STATE BOARD OF COMMUNITY COLLEGES FOR APPROVAL. (S.L. 2001-112)

**H.B. 609**, AN ACT TO SPECIFY THE MINIMUM SEPARATION DISTANCES BETWEEN A WELL SERVING CERTAIN SINGLE-FAMILY DWELLINGS AND CERTAIN OTHER STRUCTURES ON THE SAME LOT AND TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ADOPT A TEMPORARY RULE TO INCORPORATE THOSE MINIMUM SEPARATION DISTANCES. (S.L. 2001-113)

**H.B. 1108**, AN ACT TO PROVIDE THAT PUBLIC AUTHORITIES ARE ELIGIBLE FOR GRANTS FROM THE PARKS AND RECREATION TRUST FUND. (S.L. 2001-114)

**H.B. 342**, AN ACT RELATING TO THE ADMISSIBILITY, PHOTOGRAPHIC REPRODUCTION, AND RETENTION OF RECORDS OF THE EMPLOYMENT SECURITY COMMISSION. (S.L. 2001-115)

**S.B. 132**, AN ACT TO REQUIRE HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR COLORECTAL CANCER SCREENING. (S.L. 2001-116)

**H.B. 261**, AN ACT TO AMEND THE STATE VETERANS HOME ACT. (S.L. 2001-117)

On motion of Representative Culpepper, seconded by Representative Pope, the House adjourns at 7:06 p.m. to reconvene May 29 at 1:00 p.m.

## SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Tuesday, May 29, 2001

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving Lord, we come seeking but one thing - to know You better. Move us from a mere acquaintance with Your presence to a full and intimate communion with Your person. Grasp us in Your loving embrace that we might embrace our fellow brothers and sisters in love. Share with us Your forgiveness, that we might offer others that same forgiveness. In our neediness, shower us with Your mercy, that we might be merciful to those who are in need. Help us to know Your will, that we might incorporate it into our personal living, as well as our work as a legislative body. For it will only be through Your love, with Your forgiveness, by Your mercy and in Your will that our work will be truly worthwhile and fully productive in the lives of those whom we represent. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker for today.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittee are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 774** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, with a favorable report as to

House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Jarrell, Chair, for the Committee on State Government:

**S.B. 342** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance.

**S.B. 318** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 30. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 801** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE FIREMEN REPORTING REQUIREMENTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 321** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION LAW APPLIES TO ALL ENTITIES SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 30.

**S.B. 466** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**S.B. 299**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 30. The original bill is placed on the Unfavorable Calendar.

By Representative McLawhorn, Chair, for the Permanent Education Subcommittee on Community Colleges.

**H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY

INTERESTS TO FEDERAL AGENCIES, reported to the Standing Committee on Education, with recommendation that the House do concur.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1078**, A BILL TO BE ENTITLED AN ACT TO ALLOW FIREFIGHTERS WHO ARE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY-FIVE YEARS OF SERVICE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

**H.B. 1324**, A BILL TO BE ENTITLED AN ACT TO AMEND DEFINITIONS APPLYING TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM IN ORDER TO COMPLY WITH RECENT UNITED STATES DEPARTMENT OF LABOR REGULATIONS REQUIRING THAT CERTAIN VISA HOLDERS BE OFFERED RETIREMENT BENEFITS AND ELIGIBILITY FOR RETIREMENT BENEFITS ON THE SAME BASIS AS UNITED STATES CITIZENS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of May 30. The original bill is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 257** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE TO GIVE THE SECRETARY OF STATE THE AUTHORITY TO PREVENT FRAUDULENT FILINGS AND TO MAKE CLARIFYING CHANGES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 258**, A BILL TO BE ENTITLED AN ACT TO REQUIRE RESCISSION OFFERS TO BE FILED WITH THE SECRETARY OF STATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 30.

**S.B. 259**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SECURITIES DEALER REGISTRATION STATUTES TO ABOLISH THE CHURCH BOND DEALER RESTRICTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 30.

**S.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXEMPTION FOR THE OFFER AND SALE OF STOCK IS ALLOWED ONLY FOR CORPORATIONS THAT ARE ORGANIZED AND THAT OPERATE TO CONFER A PUBLIC BENEFIT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 1002** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE CAMPAIGN ENFORCEMENT AND DISCLOSURE LAWS, is read the first time and referred to the Committee on Election Law and Campaign Finance Reform.

**S.J.R. 1101**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF JAMES YANCEY KERR, II AND MICHAEL SATTERFIELD WILKINS TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and referred to the Committee on Public Utilities.



**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
May 24, 2001

Mr. Speaker:

Pursuant to your message received on May 22, 2001, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, and requests conferees, the President Pro Tempore appoints:

Senator Horton

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
May 28, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute to **S.B. 666** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A

May 29, 2001

COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE, and requests conferees. The President Pro Tempore appoints:

Senator Plyler, Chair  
Senator Purcell

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker appoints Representative Cole, Chair; Representatives Gibson and Buchanan as conferees on the part of the House and the Senate is so notified by Special Message.

### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1149** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES.

On motion of Representative Insko, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (111-1), and the bill is ordered enrolled and presented to the Governor.

Representative Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (112-1).

**H.B. 1160** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE

May 29, 2001

LIMITS OF THE CITY OF WILSON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

**H.B. 553** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS AND FOR VETERANS OF THE ARMED SERVICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Sutton, Teague,

Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives Bowie, Hensley, and Kiser - 3.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

Representative Creech requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (109-4).

**H.B. 759** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "HARLEY OWNERS' GROUP" SPECIAL REGISTRATION PLATE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Bell, Blust, Bowie, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nesbitt, Nye, Oldham, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Teague, Thompson, Tucker, Wainwright, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Wright - 94.

Voting in the negative: Representatives Barefoot, Blue, Bonner, Carpenter, Daughtry, Decker, Hall, Hensley, Holmes, Hunter, Kiser, McAllister, Mitchell, Owens, Rayfield, Sutton, Tolson, Walend, and Yongue - 19.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

**H.B. 687** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "FIRST IN FORESTRY" SPECIAL REGISTRATION PLATE,

passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Blue, Bowie, Creech, Hall, Hensley, Hunter, and Kiser - 7.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

**S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW.

Representative Goodwin offers Amendment No. 4 which is adopted by electronic vote (112-1).

Representative Blue states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (113-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Church, Clary, Coates,

Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Baker, Carpenter, Decker, Fitch, and Insko - 5.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

**S.B. 967** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representative Thompson.

Excused absences: Representatives Barnhart, Boyd-McIntyre, Hiatt, Underhill, and Walker - 5.

**S.B. 397** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS, passes its second reading, by electronic vote (92-21).

Representative Eddins objects to the third reading. The bill remains on the Calendar.

**S.B. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY.

On motion of Representative Blue, the bill is temporarily displaced.

**S.B. 833** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OR MANUFACTURE OF FRAUDULENT FORMS OF IDENTIFICATION AN OFFENSE AND TO MAKE IT ILLEGAL TO POSSESS ANY FORM OF FALSE IDENTIFICATION WHILE ATTEMPTING TO OBTAIN ALCOHOLIC BEVERAGES WHEN UNDERAGE.

Representative Goodwin offers Amendment No. 1 which is adopted, by electronic vote (111-1).

On motion of Representative Michaux, the bill is withdrawn from the Calendar, by electronic vote (104-9), ordered engrossed, and re-referred to the Committee on Judiciary III.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 378**, AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS.

**H.B. 436**, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW

FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE ELECTROLYSIS PRACTICE ACT RELATING TO FEES.

**H.B. 665**, AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR ASSAULT, BATTERY, AND FALSE IMPRISONMENT TO THREE YEARS IN ORDER TO PROVIDE THAT THE PERIOD OF LIMITATIONS FOR THESE INTENTIONAL TORTS IS AS LONG AS THE PERIOD OF LIMITATIONS FOR UNINTENTIONAL TORTS.

**H.B. 1053**, AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 449**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF TROY.

**H.B. 616**, AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS.

### CONFERENCE REPORT

Representative Yongue sends forth a Conference Report on Senate Committee Substitute for **H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of May 30.

### CALENDAR (continued)

**S.B. 759** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITATIONS ON RAIL TRANSPORTATION LIABILITY, which was temporarily displaced, is before the Body.



The bill passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 936** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN ELIGIBILITY FOR BYRNE GRANT FUNDING.

On motion of Representative Blue and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of May 30.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hackney, **S.B. 719** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY, is withdrawn from the Calendar of May 30, by electronic vote (112-1), and re-referred to the Committee on Judiciary I.

#### **INTRODUCTION OF PAGES**

Pages for the week of May 28 are introduced to the membership. They are: Matthew Bales of Halifax; Graham Barber of Cobb, Georgia; Benjamin Brulet of Onslow; Baxter Cheek of Brunswick; Jonathan Clemmons of Onslow; Mary Jane Glasgow of Rowan; Robert Kevin Hall of New Hanover; Natasha Hicks of Craven; Benjamin McGlaughon of Onslow; Aidan Maile Mercer of Durham; Craven Milligan of Brunswick; Zachary Moore of Onslow; Albert Hemingway Parker, III of Brunswick; John Rabold of Catawba; Courtney Ransome of Bertie; Austin Redwine of Brunswick; Eliza Ruffner of New Hanover; Katherine Smith of Davie; Cameron Vann of Vance; Chevonne Wallace of Richmond; and Laura Beth White of Johnston.

#### **RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 866** (Committee Substitute), A BILL TO BE

May 29, 2001

ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT, is withdrawn from the Committee on Mental Health and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1428**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE LOCAL OPTION LAND TRANSFER TAX LAW TO ALL COUNTIES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, reported without prejudice and with recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

**S.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 30.

On motion of Representative Culpepper, seconded by Representative Cole, the House adjourns at 2:09 p.m. to reconvene May 30 at 2:00 p.m.

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## **SEVENTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, May 30, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Omniscient God, You alone have the perspective of eternity. You alone know all things and understand all mysteries. Without the light of Your presence, we walk in darkness. We are perplexed by the difficulty of the decisions we are asked to make. We stumble through the data, and dimly perceive the possible outcomes of our decisions. Come now and dwell among us. With Your great guiding hand, lead us to work out Your purposes in the world. With Your wisdom, enlighten our understanding that we might know what is good and prudent to do. Though we know not where You will take us, give us faith to follow the prompting of Your Spirit, trusting that we will finally arrive at the future You have planned. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Church, Hiatt, Teague, Underhill, and Walker for today. Representative Hurley is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 1149**, AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, AND TO CLARIFY THE LAW PROHIBITING RETALIATION AGAINST EMPLOYEES WHO REPORT SEXUAL HARASSMENT.

**H.B. 1160**, AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 758**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES CALLOWAY "C.C." ROSS, CIVIC LEADER,

BUSINESS OWNER, POLITICIAN, AND EDUCATOR. (RESOLUTION 2001-15)

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 608**, AN ACT TO MODIFY THE HEALTH CERTIFICATE REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYEES. (S.L. 2001-118)

**H.B. 723**, AN ACT TO REQUIRE ALL MEMBERS OF THE GENERAL ASSEMBLY TO FILE STATEMENTS OF ECONOMIC INTEREST. (S.L. 2001-119)

**H.B. 837**, AN ACT TO AUTHORIZE CERTAIN BOARDS OF COUNTY COMMISSIONERS TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF PUBLIC HEALTH LAWS OR RULES. (S.L. 2001-120)

**H.B. 434**, AN ACT TO AMEND RULE 9(J) OF THE RULES OF CIVIL PROCEDURE BY CLARIFYING WHICH JUDGE MAY SIGN ORDERS EXTENDING THE STATUTE OF LIMITATIONS IN CERTAIN CASES AS RECOMMENDED BY THE CIVIL LITIGATION STUDY COMMISSION. (S.L. 2001-121)

**H.B. 352**, AN ACT TO REPEAL THE EXPIRATION DATE IN THE RISK SHARING PLAN LAW. (S.L. 2001-122)

**S.B. 735**, AN ACT TO MODIFY THE MEMBERSHIP OF THE EDUCATION CABINET. (S.L. 2001-123)

**S.B. 542**, AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO REVIEW THE NEED FOR ESTABLISHMENT OF A STATEWIDE DATABASE ON THE ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS TO CHILDREN WHO RECEIVE STATE SERVICES. (S.L. 2001-124)

**S.B. 370**, AN ACT AMENDING THE JOINT SECURITY FORCE PROVISIONS FOR STATE FACILITIES FOR MENTALLY ILL PERSONS. (S.L. 2001-125)

**S.B. 310**, AN ACT TO CLARIFY THE LAW GOVERNING ADMINISTRATIVE PROCEEDINGS OF THE SECRETARY OF STATE;

TO AUTHORIZE THE SECRETARY OF STATE TO APPOINT A HEARING OFFICER TO CONDUCT HEARINGS ON LICENSING MATTERS; AND TO AUTHORIZE THE SECRETARY OF STATE TO ADOPT UNIFORM NATIONAL SECURITIES REGULATION STANDARDS BY TEMPORARY RULE. (S.L. 2001-126)

**S.B. 302**, AN ACT ALLOWING THE NORTH CAROLINA MUSEUM OF ART'S REGIONAL CONSERVATION SERVICES PROGRAM TO PERFORM CONSERVATION TREATMENTS ON PRIVATELY OWNED WORKS OF ART. (S.L. 2001-127)

**H.B. 446**, AN ACT TO AUTHORIZE LOCAL ABC BOARDS TO ENTER COOPERATIVE AGREEMENTS FOR MANAGEMENT OF ABC STORES. (S.L. 2001-128)

**H.B. 1285**, AN ACT TO PERMIT AN APPLICANT FOR INITIAL TEACHER CERTIFICATION TO TAKE THE APPROPRIATE SPECIALTY AREA TEST OR SUBJECT ASSESSMENT DURING THE APPLICANT'S SECOND YEAR OF TEACHING. (S.L. 2001-129)

**H.B. 1143**, AN ACT TO AMEND THE LAW REGARDING THE ISSUANCE OF ABC PERMITS TO RESIDENTIAL PRIVATE CLUBS AND SPORTS CLUBS. (S.L. 2001-130)

**H.B. 667**, AN ACT INCREASING THE NUMBER OF COMMISSIONERS FOR THE TOWN OF NEW LONDON, EXTENDING THE TERMS OF OFFICE FOR THE TOWN'S COMMISSIONERS AND MAYOR, AND STAGGERING THOSE TERMS. (S.L. 2001-131)

**H.B. 744**, AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY ON STREETS OWNED BY WEST SIDE LANDOWNERS ASSOCIATION, INC., IN MOORE COUNTY. (S.L. 2001-132)

**H.B. 903**, AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN RICHMOND COUNTY. (S.L. 2001-133)

**H.B. 929**, AN ACT TO RESTORE EXTRATERRITORIAL JURISDICTION AND RELATED POWERS TO THE TOWN OF MINNESOTT BEACH. (S.L. 2001-134)

**H.B. 935**, AN ACT TO ASSIST THE JOHNSTON COUNTY BOARD OF EDUCATION WITH THE EXPEDITING OF PUBLIC SCHOOL FACILITIES. (S.L. 2001-135)

**H.B. 449**, AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE TOWN OF TROY. (S.L. 2001-136)

**H.B. 616**, AN ACT TO AUTHORIZE THE TOWN OF ATLANTIC BEACH TO ANNEX CERTAIN PROPERTIES CURRENTLY TOTALLY SURROUNDED BY THE CORPORATE LIMITS AND OTHER CERTAIN AREAS WITHIN THE CORPORATE LIMITS. (S.L. 2001-137)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 279** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF DARE TO EXERCISE THE POWER OF EMINENT DOMAIN TO FACILITATE BEACH NOURISHMENT AND SHORELINE PRESERVATION ACTIVITIES., reported without prejudice as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and with recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 580**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF WILSON, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**S.B. 202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998, TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND, AND TO STAGGER THE TERMS OF THE MEMBERS

OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, reported without prejudice.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

By Representatives Hurley and Warner, Chairs, for the Committee on Military, Veterans and Indian Affairs:

**H.B. 1382**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Morgan, Chair, for the Committee on Financial Institutions:

**S.B. 860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT TRUST BUSINESS ON AN INTERSTATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD OF DIRECTORS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**H.B. 969** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of May 31. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
May 29, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 16** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ABOLISH MUNICIPAL BOARDS OF ELECTIONS IN MUNICIPALITIES OTHER THAN MORGANTON, GRANITE FALLS, OLD FORT, AND RHODHISS, and requests conferees. The President Pro Tempore appoints:

Senator Gulley, Chair  
Senator Metcalf  
Senator Moore  
Senator Ballance

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker appoints Representative Alexander, Chair; Representatives Church, Michaux, Nesbitt, Starnes, and Daughtry as conferees on the part of the House and the Senate is so notified by Special Message.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL

May 30, 2001



ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

**H.B. 620** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

**H.B. 800**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of May 31.

**H.B. 891** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 31.

**H.B. 1341** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of May 31.

**S.B. 628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING OUT-OF-STATE CERTIFIED PUBLIC ACCOUNTANTS TO NOTIFY THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS WHEN THEY PERFORM WORK IN THIS STATE,

AUTHORIZING THE BOARD TO INCREASE FEES, AND AMENDING CERTAIN PROVISIONS RELATING TO CERTIFIED PUBLIC ACCOUNTANTS, is read the first time and referred to the Committee on Finance.

### CONFERENCE REPORT

Representative Yongue moves the adoption of the following Conference Report.

#### H.B. 438

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on H.B. 438, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING, submit the following report:

The Senate recedes from its amendment # 1, and in lieu thereof the bill is amended as follows:

On page 1, line 11, rewrite the line to read:

"(3) ~~Goal completion of program completers and noncompleters, The~~ proportion of those who complete their goal."

The Senate and House of Representatives agree to the same.

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

Date conferees approved report: May 29, 2001.

*Conferees for the  
Senate*

*Conferees for the  
House of Representatives*

S/ Hamilton C. Horton, Jr.

S/ Douglas Y. Yongue  
S/ Donald A. Bonner  
S/ Gene G. Arnold

The Conference Report is adopted by electronic vote (109-0), and the Senate is so notified by Special Message.

May 30, 2001

**CALENDAR**

Action is taken on the following:

**S.B. 327** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Boyd-McIntyre, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives Barnhart, Church, Hiatt, Teague, Underhill, and Walker - 6.

Representative Brubaker requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (111-0).

**H.B. 1324** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND DEFINITIONS APPLYING TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM IN ORDER TO COMPLY WITH RECENT UNITED STATES DEPARTMENT OF LABOR REGULATIONS REQUIRING THAT CERTAIN VISA HOLDERS BE OFFERED RETIREMENT BENEFITS AND ELIGIBILITY FOR RETIREMENT BENEFITS ON THE SAME BASIS AS UNITED STATES CITIZENS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 7** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO MEMBERS WHO ARE JUVENILES TO THE JUVENILE LOCAL CRIME PREVENTION COUNCILS AND TO THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND BY ADDING THE ATTORNEY GENERAL TO THE STATE ADVISORY COUNCIL, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 397** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS.

Representative Eddins moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary II. The motion fails by electronic vote (52-59).

The bill passes its third reading, by electronic vote (74-35), and is ordered sent to the Senate for concurrence in House committee substitute.

Representative Johnson states that her voting equipment malfunctioned and she requests and is granted permission to be recorded as voting "no". The adjusted vote total is (74-36).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 91**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF ADDITIONAL DEALER PLATES TO BUSINESSES ENGAGED IN THE ALTERATION AND SALE OF SPECIALTY VEHICLES.

Representative Sutton offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 258**, A BILL TO BE ENTITLED AN ACT TO REQUIRE RESCISSION OFFERS TO BE FILED WITH THE SECRETARY OF STATE, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 259**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SECURITIES DEALER REGISTRATION STATUTES TO ABOLISH THE CHURCH BOND DEALER RESTRICTION, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 299** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 311**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 318** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 321** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION LAW APPLIES TO ALL ENTITIES SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN;

AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, is withdrawn from the Calendar and placed on the Calendar of May 31.

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 876**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ATTENDANCE AT A DAY REPORTING CENTER BE A LEVEL ONE DISPOSITION FOR DELINQUENT JUVENILES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 936** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN ELIGIBILITY FOR BYRNE GRANT FUNDING, passes its second reading, by electronic vote (104-3).

Representative Blue objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1056** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**H.B. 1362**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CENTRAL REGISTRY FOR ADVANCE HEALTH CARE DIRECTIVES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**S.B. 937** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 938** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO STUDY DATE RAPE DRUG ANALOGUES AND DETERMINE WHETHER THOSE SHOULD BE INCLUDED IN THE SCHEDULES OF CONTROLLED SUBSTANCES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The House committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Smith, Chair, for the Committee on Public Utilities:

**S.B. 432** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP, with a favorable report as to House committee



substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of May 31. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.J.R. 1101**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF JAMES YANCEY KERR, II AND MICHAEL SATTERFIELD WILKINS TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of May 31.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
May 30, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 438**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING.

Pursuant to your message that your Honorable Body has adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker orders the bill enrolled and presented to the Governor.

On motion of Representative Culpepper, seconded by Representative McAllister, the House adjourns at 3:34 p.m. to reconvene May 31 at 12:00 Noon.

May 30, 2001

## SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, May 31, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Creating God, You have formed us in Your image and crafted us in Your likeness. You have named us, claimed us, and called us Your daughters and sons. Despite this high dignity, we too often hear words of disdain, criticism, or censure. This message of condemnation, begins to define who we are and we lose sight of our own worth and the treasure of gifts we carry within us. O God, let Your light shine in our darkness and Your hope in our times of despair. Speak to us anew the empowering words, 'You are my beloved, my child, the object of my love.' And with a renewed sense of worth, move us forward to embrace the challenges and opportunities that await us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barnhart, Dockham, Fitch, Holmes, Hunter, McMahan, Rogers, Underhill, Walend, Walker, Womble, and Wright for today. Representatives Haire and Luebke are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 236**, AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION.

**S.B. 258**, AN ACT TO REQUIRE RESCISSION OFFERS TO BE FILED WITH THE SECRETARY OF STATE.

**S.B. 259**, AN ACT TO AMEND THE SECURITIES DEALER REGISTRATION STATUTES TO ABOLISH THE CHURCH BOND DEALER RESTRICTION.

**S.B. 311**, AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS.

**S.B. 321**, AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION LAW APPLIES TO ALL ENTITIES SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER.

**S.B. 876**, AN ACT TO PROVIDE THAT ATTENDANCE AT A DAY REPORTING CENTER BE A LEVEL ONE DISPOSITION FOR DELINQUENT JUVENILES.

**H.B. 311**, AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW.

**H.B. 438**, AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 327**, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 10** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BALLOT ACCESS LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1389**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

**H.B. 1397**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**S.B. 123** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR JAILS AND FOR WATER AND SEWER PROJECTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED REGISTRATION PROCEDURE FOR CANADIAN SECURITIES DEALERS AND SALESMEN, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW DEFINING THE TIME STOCK AND OTHER EQUITY INTERESTS IN BUSINESS ASSOCIATIONS ARE PRESUMED ABANDONED FOR PURPOSES OF THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Hurley, Chair, for the Committee on Insurance:

**S.B. 459** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTERMEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES; AND TO ALLOW NORTH CAROLINA DOMESTIC INSURANCE COMPANIES TO FORM PROTECTED CELLS TO ACCESS ALTERNATIVE SOURCES OF CAPITAL AND ACHIEVE THE BENEFITS OF SECURITIZATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

## INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Rogers and Culpepper:

**H.R. 1455**, A HOUSE RESOLUTION HONORING THE MEMORY OF CIVIL WAR VETERANS IRA T. HARDISON AND JOHN F. MCNAIR, AND OTHERS BURIED IN THE WINDLEY CEMETERY AND COMMENDING THE EFFORTS OF THE WINDLEY CEMETERY PERPETUAL CARE ASSOCIATION, INC., AND THE PLYMOUTH COMMUNITY IN RESTORING AND PRESERVING THAT CEMETERY, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

Upon concurrence, the Senate amendment changes the title.

**H.B. 375** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 4.

**H.B. 453** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 4.

### 2001 GENERAL ASSEMBLY FIRST SESSION

### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
May 31, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 137** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN PRIVATE CORRECTIONAL OFFICERS TO USE FORCE AND MAKE ARRESTS CONSISTENT WITH NORTH CAROLINA LAW, and requests conferees. The President Pro Tempore appoints:

Senator Ballance, Chair  
Senator Jordan  
Senator Bingham

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker appoints Representative Michaux, Chair, Representatives Goodwin and Kiser as conferees for the House and the Senate is so notified by Special Message.

## CALENDAR

Action is taken on the following:

**H.B. 105** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES.

On motion of Representative Nesbitt, the House concurs in Senate amendment, by electronic vote (98-3), and the bill is ordered enrolled.

**H.B. 891** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY.

On motion of Representative Miner, the House concurs in the Senate committee substitute bill, by electronic vote (100-2), and the bill is ordered enrolled.

**H.B. 620** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL.

On motion of Representative Warner, the House concurs in Senate Amendment No. 2, by electronic vote (96-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 800**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of Representative Culpepper, the House concurs in Senate amendment, by electronic vote (102-0), and the bill is ordered enrolled.

**H.B. 1341** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, by electronic vote (100-0), and the bill is ordered enrolled and presented to the Governor.

Representative Blue states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". The adjusted vote total is (101-0).

**H.B. 969** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS, AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.

Representative Cole requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.



Representative Davis moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

The motion fails to carry by electronic vote (30-74).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Church, J. Crawford, M. Crawford, Culpepper, Cunningham, Dedmon, Earle, Easterling, Ellis, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McLawhorn, Michaux, Miller, Miner, Morris, Nesbitt, Oldham, Owens, Pope, Preston, Redwine, Russell, Saunders, Sherrill, Shubert, Smith, Sutton, Tolson, Tucker, Wainwright, Warner, Warren, Weatherly, Weiss, C. Wilson, and Yongue - 68.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Brubaker, Capps, Clary, Coates, Cox, Creech, Culp, Daughtry, Davis, Decker, Eddins, Esposito, Gillespie, Grady, Gulley, Harrington, Hilton, Kiser, McAllister, McCombs, Mitchell, Morgan, Nye, Rayfield, Setzer, Sexton, Starnes, Teague, Thompson, Warwick, West, and G. Wilson - 36.

Excused absences: Representatives Barnhart, Dockham, Fitch, Holmes, Hunter, McMahan, Rogers, Underhill, Walend, Walker, Womble, and Wright - 12.

**S.B. 936** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN ELIGIBILITY FOR BYRNE GRANT FUNDING.

On motion of Representative Blue and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 6.

**S.B. 202** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998, TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE

SOUND, AND TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE, passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 277** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXEMPTION FOR THE OFFER AND SALE OF STOCK IS ALLOWED ONLY FOR CORPORATIONS THAT ARE ORGANIZED AND THAT OPERATE TO CONFER A PUBLIC BENEFIT, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 342** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS.

On motion of Representative Gibson and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 4.

**S.B. 432** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS AND THE STATE OF NORTH CAROLINA TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 774** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, is withdrawn from the Calendar and placed on the Calendar of June 5.

### **CALENDAR (continued)**

**S.J.R. 1101**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF JAMES YANCEY KERR, II AND MICHAEL SATTERFIELD WILKINS TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Barefoot and Teague, Chairs, for the Committee on Travel and Tourism:

**H.B. 1110**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX INCENTIVES FOR CAPITAL TOURISM PROJECTS IN TIER ONE, TWO, AND THREE COUNTIES, AND TO CREATE THE TRAVEL AND TOURISM CAPITAL INCENTIVE GRANT PROGRAM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES, with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 4.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

**S.B. 1005** (Committee Substitute No. 2), 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, is read the first time and referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Coates, the House adjourns at 2:02 p.m. to reconvene Monday, June 4, 2001, at 6:45 p.m.

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## **SEVENTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, June 4, 2001

The House meets at 6:45 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Bless, O Lord, all who gather here to do the work of the people of this State. Help them stand strong under the strain of the decisions they must make. Give them strength and stamina to face their grueling schedules of meetings and appointments, conferences and calls. Teach them the power of complement and consideration, rather than criticism and condemnation when agreement cannot be reached and tensions mount. In the midst of their work, remind them to turn to You and find respite and renewal, guidance and grace. For You, Gracious God, will care for those who come to You and provide for those who trust in You. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Barbee, Cole, Dockham, Goodwin, Hiatt, Howard, and Walend for today. Representative Hunter is excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 277**, AN ACT TO CLARIFY THAT THE EXEMPTION FOR THE OFFER AND SALE OF STOCK IS ALLOWED ONLY FOR CORPORATIONS THAT ARE ORGANIZED AND THAT OPERATE TO CONFER A PUBLIC BENEFIT.

**S.B. 300**, AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION.

**H.B. 78**, AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS.

**H.B. 114**, AN ACT TO DESIGNATE U.S. HIGHWAY 70 IN NORTH CAROLINA AS THE "BLUE STAR MEMORIAL AND AMERICAN EX-PRISONERS OF WAR HIGHWAY".

**H.B. 620**, AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL.

**H.B. 1341**, AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 105**, AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES.

**H.B. 800**, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

**H.B. 891**, AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY.

**H.B. 931**, AN ACT TO AUTHORIZE ORANGE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS AND TO REGULATE HUNTING NEAR GOVERNMENT BUILDINGS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 1101**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF JAMES YANCEY KERR, II AND MICHAEL SATTERFIELD WILKINS TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION. (RESOLUTION 2001-16)

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 67**, AN ACT TO ALLOW THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY ISSUES RELATED TO THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION AND TO CHANGE THE NAME OF THAT COMMITTEE ACCORDINGLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE. (S.L. 2001-138)

**S.B. 162**, AN ACT TO AMEND VARIOUS PROPERTY TAX LAWS. (S.L. 2001-139)

**S.B. 431**, AN ACT TO ADJUST THE VALUE THRESHOLDS OF LIMITED AND INTERMEDIATE LICENSES FOR INFLATION UNDER THE LAWS REGULATING GENERAL CONTRACTORS. (S.L. 2001-140)

**S.B. 1036**, AN ACT TO CLARIFY THAT THE STATE BUILDING CODE COUNCIL IS SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT. (S.L. 2001-141)

**S.B. 1070**, AN ACT ESTABLISHING A DISPUTE RESOLUTION PROCEDURE TO ASSIST THE OFFICE OF INFORMATION TECHNOLOGY IN THE COLLECTION OF FEES RELATED TO INFORMATION TECHNOLOGY SERVICES PROVIDED BY THE OFFICE. (S.L. 2001-142)

**H.B. 262**, AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY. (S.L. 2001-143)

**S.B. 264**, AN ACT TO REQUIRE STATE REPORTS TO BE PRINTED ON BOTH SIDES OF THE PAPER. (S.L. 2001-144)

**S.B. 380**, AN ACT RELATING TO THE NAMING OF ROADS AND THE ASSIGNMENT OF STREET NUMBERS BY COUNTIES. (S.L. 2001-145)

**S.B. 803**, AN ACT TO DIRECT THE STATE UNIVERSITY SYSTEM, THE COMMUNITY COLLEGES SYSTEM, AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO WORK COOPERATIVELY TO

EXPAND OPPORTUNITIES FOR MILITARY PERSONNEL TO TAKE TEACHER EDUCATION CLASSES PRIOR TO DISCHARGE FROM THE MILITARY. (S.L. 2001-146)

**S.B. 942**, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE TRANSPORTER PLATES TO COUNTIES FOR USE IN PROGRAMS OF PROVIDING DONATED MOTOR VEHICLES TO LOW-INCOME PERSONS. (S.L. 2001-147)

**S.B. 1004**, AN ACT TO AMEND THE LAW REGARDING INTERFERENCE WITH EMERGENCY COMMUNICATIONS AND TO INCREASE THE CRIMINAL PENALTY FOR THAT OFFENSE. (S.L. 2001-148)

**S.B. 274**, AN ACT TO REPEAL AN OBSOLETE PROVISION IN THE NORTH CAROLINA SECURITIES ACT. (S.L. 2001-149)

**S.B. 499**, AN ACT TO AMEND THE LAWS RELATING TO ADOPTION. (S.L. 2001-150)

**S.B. 708**, AN ACT TO ELIMINATE UNNECESSARY AND DUPLICATIVE PAPERWORK IN THE PUBLIC SCHOOLS. (S.L. 2001-151)

**S.B. 739**, AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED MARRIAGE AND FAMILY THERAPISTS. (S.L. 2001-152)

**S.B. 749**, AN ACT TO MAKE TECHNICAL CHANGES TO THE NURSING HOME ADMINISTRATOR ACT. (S.L. 2001-153)

**H.B. 700**, AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS. (S.L. 2001-154)

**H.B. 857**, AN ACT TO CLARIFY THAT AN AREA MENTAL HEALTH AUTHORITY THAT HAS ACCESS TO THE CRIMINAL RECORDS DATA BANK MAY OBTAIN THE REQUIRED CRIMINAL HISTORY RECORD CHECK THROUGH THE DATA BANK. (S.L. 2001-155)

**H.B. 875**, AN ACT DIRECTING THE WILDLIFE RESOURCES COMMISSION TO ASSIST THE TOWN OF BILTMORE FOREST IN REDUCING ITS DEER POPULATION TO A MANAGEABLE LEVEL. (S.L. 2001-156)



**H.B. 958**, AN ACT TO REQUIRE COST REPORTS SPECIFIC TO ADULT CARE HOME SPECIAL CARE UNITS AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A DESIGNATED REIMBURSEMENT SYSTEM FOR RESIDENTS IN SPECIAL CARE UNITS. (S.L. 2001-157)

**H.B. 1083**, AN ACT TO ALLOW THE COURT TO ORDER SECURE CUSTODY OF A JUVENILE PENDING AN ADJUDICATORY PROCEEDING IF THE JUVENILE ALLEGEDLY COMMITTED A MISDEMEANOR OFFENSE INVOLVING A WEAPON. (S.L. 2001-158)

**S.B. 396**, AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES. (S.L. 2001-159)

**S.B. 434**, AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS. (S.L. 2001-160)

**S.B. 327**, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF WILSON. (S.L. 2001-161)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 719** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY AND BY A STATE-OWNED RAILROAD COMPANY, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY TREATMENT OF CERTAIN SECURITY INTERESTS CREATED BY THE STATE OR GOVERNMENTAL UNITS OF THE STATE UNDER ARTICLE 9 OF THE NORTH CAROLINA UNIFORM COMMERCIAL CODE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT TO REFUSE TO INDEX, DOCKET, OR RECORD FRAUDULENT CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING FALSE STATUTORY LIENS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Gibson, Chair, for the Committee on Alcoholic Beverage Control:

**S.B. 823**, A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY, with a favorable report as to House committee substitute bill, unfavorable as to original bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO REDUCE ROADSIDE LITTER BY REQUIRING RECYCLING BINS AT HIGHWAY REST AREAS AND TO INCREASE WASTE REDUCTION AND RECYCLING IN STATE OFFICES BY REQUIRING THE RECYCLING OF NEWSPAPERS, MIXED PAPER, RECYCLABLE GLASS, AND RIGID PLASTIC CONTAINERS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on State Government.

The committee substitute bill is re-referred to the Committee on State Government. The original bill is placed on the Unfavorable Calendar.

**S.B. 148**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 765**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VANCE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX AND TO MAKE OTHER CHANGES TO THE VANCE COUNTY ROOM OCCUPANCY TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 532**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**S.B. 898**, A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

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

The following is introduced, read the first time and referred to committee:

By Representatives Howard, Hill, Luebke, McComas, Nye, Redwine, and Wright:

**H.J.R. 1456**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WILVER DORNELL "WILLIE" STARGELL, MEMBER OF THE BASEBALL HALL OF FAME, is referred to the Committee on Rules, Calendar, and Operations of the House.

### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 235** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 5.

**H.B. 452** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 5.

**S.B. 395** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES, is read the first time and referred to the Committee on Finance.

### CALENDAR

Action is taken on the following:

**H.B. 344**, A BILL TO BE ENTITLED AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

On motion of Representative Redwine, the House concurs in Senate Amendment No. 1, which changes the title, by electronic vote (103-1), and the bill is ordered enrolled and presented to the Governor.

**H.B. 375** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 453** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES.

On motion of Representative Wright, the House concurs in the Senate committee substitute bill, by electronic vote (105-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 938** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES.

On motion of Representative Smith, the House concurs in the Senate committee substitute bill, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor.

Representative Insko requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-0).

**H.B. 969** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.

On motion of Representative Hackney, the bill is withdrawn from the Calendar and placed on the Calendar of June 5.

**H.B. 1389**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Baddour, Baker, Barefoot, Barnhart, Bell, Blust, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Decker, Dedmon, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Morgan, Morris, Nye, Oldham, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 93.

Voting in the negative: Representatives Arnold, Blue, Bowie, Creech, Daughtry, Davis, Fitch, Hall, Hensley, Kiser, Mitchell, and Owens - 12.

Excused absences: Representatives Adams, Barbee, Cole, Dockham, Goodwin, Hiatt, Howard, Hunter, and Walend - 9.

**S.B. 342** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 466** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS.

On motion of Representative Blue and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 5.

### INTRODUCTION OF PAGES

Pages for the week of June 4 are introduced to the membership. They are: Jennifer Adams of Mecklenburg; Sarah Adams of Forsyth; Lauren Alexander of Craven; Andrea Kirby Angell of Forsyth; Collen Briggs of Wake; Sarah Bullins of Stokes; Richard Cox, Jr., of Randolph; William Gardner Culpepper of Chowan; Martha Dale of Hyde; Ana Catherine Dickens of Nash; Allyson Greene of Wake; Kelly Johnson of Johnston; Kenneth Knight of Caldwell; David Kronenfeld of Guilford; Candace Lowry of Robeson; Justin McDaniel of Catawba; Lesli Oakley of Wake; Nicole Owens of Wake; Adam Padgett of Harnett; Stacy Pollack of Franklin; Mikum Leah Porter of Dare; William Powell, II, of Wake; Lauren Waddey of Wake; Andrew Webb of McDowell; and Philip White of Catawba.

### REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 390** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING THE NORTH CAROLINA MEDICAL BOARD TO IMPLEMENT POLICIES TO TRAIN AND EDUCATE PERSONS LICENSED TO PRACTICE OR PERSONS DESIRING TO

PRACTICE MEDICINE IN THIS STATE ON ISSUES RELATED TO PHYSICIAN-ASSISTED SUICIDE AND CREATING THE CRIMINAL OFFENSE OF PHYSICIAN-ASSISTED SUICIDE, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 790**, A BILL TO BE ENTITLED AN ACT TO REVISE THE GOOD FUNDS SETTLEMENT ACT TO REPEAL THE AUTHORITY OF A SETTLEMENT AGENT TO DISBURSE SETTLEMENT PROCEEDS IN RELIANCE ON A DEPOSIT IN THE FORM OF A CHECK DRAWN ON THE ACCOUNT OF OR ISSUED BY A LENDER WHICH IS APPROVED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AS EITHER A SUPERVISED OR NONSUPERVISED MORTGAGEE, is withdrawn from the Committee on Financial Institutions and re-referred to the Committee on Judiciary II.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Environment and Natural Resources:

**H.B. 418**, A BILL TO BE ENTITLED AN ACT TO ACKNOWLEDGE STATE POLICY THAT BEACH PRESERVATION AND RESTORATION ARE IN THE PUBLIC INTEREST AND THAT WHERE ECONOMICALLY AND ENVIRONMENTALLY JUSTIFIED BEACH PRESERVATION AND RESTORATION CONSTITUTE A PUBLIC PURPOSE, TO ESTABLISH THE NORTH CAROLINA BEACH PRESERVATION AND RESTORATION COMMISSION, TO ESTABLISH THE BEACH PRESERVATION AND RESTORATION FUND, AND TO APPROPRIATE FUNDS TO THE BEACH PRESERVATION AND RESTORATION FUND; and

**H.J.R. 419**, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S TOURISM INDUSTRY AND ITS ECONOMIC IMPACT STATEWIDE.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Education:



**H.J.R. 833**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN LAWSON ON THE 300TH ANNIVERSARY OF HIS FIFTY-SEVEN DAY FIVE HUNDRED FIFTY-MILE TREK THROUGH THE BACKCOUNTRY OF THE CAROLINAS; and

**H.J.R. 1267**, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO REVIEW THE SECURITY SURVEY OF THE GENERAL ASSEMBLY COMPLEX AS ISSUED BY THE UNITED STATES SECRET SERVICE, AND MAKE RECOMMENDATIONS ON IMPLEMENTING ITS RECOMMENDATIONS.

On motion of Representative Culpepper, seconded by Representative Fitch, the House adjourns at 7:30 p.m. to reconvene June 5 at 2:00 p.m.

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## SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, June 5, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, You have not promised us a path that is always easy nor a way of life that is perpetually comfortable. The challenge of doing that which is right does not necessitate acclaim and praise. The mantle of leadership carries with it the probability that decisions will be made that are correct, yet not celebrated. Yet, You have pledged Your guidance and protection and promised fulfillment and meaning if we would follow Your will. In this time of difficult decisions, give us strength to consider not only what sounds good, but what is good, not only what might be popular, but what is truly called for. As we do so, keep us in Your grace - fill us with Your embrace and remind us of Your presence, that we might never feel alone or abandoned, but secure in Your love and care for us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

June 5, 2001

Leaves of absence are granted Representatives Hiatt and Hunter for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 7**, AN ACT TO ADD TWO MEMBERS WHO ARE JUVENILES TO THE JUVENILE LOCAL CRIME PREVENTION COUNCILS AND TO THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND BY ADDING THE ATTORNEY GENERAL TO THE STATE ADVISORY COUNCIL.

**S.B. 299**, AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT.

**S.B. 318**, AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102.

**S.B. 967**, AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW.

**S.B. 1056**, AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES.

**H.B. 344**, AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS AND TO THE LATE FILING AND PAYMENT PENALTIES UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA.

**H.B. 375**, AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE.

**H.B. 387**, AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES FOR DEVELOPMENTALLY DISABLED ADULTS.

**H.B. 453**, AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES.

**H.B. 938**, AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 105**, AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, TO MODIFY THE PURPOSES FOR WHICH THE ROOM TAX MAY BE USED, AND TO MAKE CONFORMING CHANGES. (S.L. 2001-162)

**H.B. 800**, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (S.L. 2001-163)

**H.B. 891**, AN ACT TO REGULATE SPOTLIGHTING OF DEER IN WAKE COUNTY. (S.L. 2001-164)

**H.B. 931**, AN ACT TO AUTHORIZE ORANGE COUNTY TO REGULATE THE USE OF ALCOHOL AND OTHER IMPAIRING SUBSTANCES WHILE HUNTING WITH FIREARMS AND TO REGULATE HUNTING NEAR GOVERNMENT BUILDINGS. (S.L. 2001-165)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**H.B. 1291**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MUNICIPALITY TO HAVE A POPULATION OF MORE THAN FIVE

HUNDRED PERSONS TO EXERCISE EXTRATERRITORIAL JURISDICTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 584**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 6.

**S.B. 533**, A BILL TO BE ENTITLED AN ACT ALLOWING THE CHARLOTTE CITY AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES TO CONTROL THE LOCATION OF PERMANENT MARKERS ALONG PROPERTY LINES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 6.

**S.B. 535** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 6.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**S.B. 468** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS

AND NONRENEWALS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 1045** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 6.

**S.B. 144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE NORTH CAROLINA TO ENTER THE STREAMLINED SALES AND USE TAX AGREEMENT, is read the first time and referred to the Committee on Finance.

### CALENDAR

Action is taken on the following:

**H.B. 235** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO

AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR  
SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND  
IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN.

On motion of Representative Allen, the House concurs in the Senate committee substitute bill, by electronic vote (113-1), and the bill is ordered enrolled.

Representative Fitch requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (114-0).

**H.B. 452** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973.

On motion of Representative Wright, the House concurs in the Senate committee substitute bill, by electronic vote (116-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 969** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE AMBIENT AIR QUALITY IMPROVEMENT ACT OF 1999, AS AMENDED BY S.L. 2000-134, BY INCREASING THE FEES CHARGED FOR MOTOR VEHICLE EMISSIONS AND SAFETY INSPECTIONS, AND TO MAKE OTHER AMENDMENTS TO THE LAWS GOVERNING MOTOR VEHICLE SAFETY AND EMISSIONS INSPECTIONS.

Pursuant to Rule 24.1A(c), the request that Representative Cole be excused from voting on May 31 is continued.

Representative Gibson offers Amendment No. 1 which is adopted by electronic vote (116-0).

Representative Justus offers Amendment No. 2 which fails of adoption by electronic vote (36-79).

Representative Baker offers Amendment No. 3 which fails of adoption by electronic vote (55-61).

Representative Decker offers Amendment No. 4 which fails of adoption by electronic vote (30-85).

Representative Nesbitt offers Amendment No. 5 which is adopted by electronic vote (107-5).

Representative Hackney offers Amendment No. 6 which is adopted by electronic vote (113-2).

Representative Allred offers Amendment No. 7 which fails of adoption by electronic vote (35-80).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Alexander, Allen, Baddour, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, J. Crawford, M. Crawford, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McLawhorn, McMahan, Michaux, Miller, Miner, Morris, Nesbitt, Oldham, Owens, Pope, Redwine, Rogers, Russell, Saunders, Sherrill, Shubert, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Weatherly, Weiss, C. Wilson, Womble, and Yongue - 69.

Voting in the negative: Representatives Adams, Allred, Arnold, Baker, Barbee, Barnhart, Brubaker, Capps, Clary, Coates, Cox, Creech, Culp, Daughtry, Davis, Decker, Eddins, Esposito, Fitch, Gillespie, Grady, Gulley, Harrington, Hilton, Holliman, Holmes, Kiser, McAllister, McCombs, Mitchell, Morgan, Nye, Preston, Rayfield, Setzer, Sexton, Smith, Starnes, Teague, Thompson, Walker, Warwick, West, and G. Wilson - 44.

Excused absences: Representatives Hiatt and Hunter - 2.

Excused vote: Representative Cole.

**H.B. 1389**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE.

Representative Creech offers Amendment No. 1 which fails of adoption by electronic vote (32-78).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Bonner, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Harrington, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 105.

Voting in the negative: Representatives Blue, Bowie, Creech, Fitch, Hall, Hensley, Kiser, Owens, Walker, and Wright - 10.

Excused absences: Representatives Hiatt and Hunter - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1397** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Carpenter, Clary, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.



Voting in the negative: Representatives Brubaker, Capps, Coates, Creech, Daughtry, Eddins, Esposito, Fitch, Grady, Holmes, Rayfield, Setzer, and Thompson - 13.

Excused absences: Representatives Hiatt and Hunter - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 123** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR WATER AND SEWER PROJECTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 106.

Voting in the negative: Representatives Baker, Capps, Creech, Davis, Decker, Eddins, Grady, and Setzer - 8.

Excused absences: Representatives Hiatt and Hunter - 2.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 10** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE BALLOT ACCESS LAWS.

The bill fails to pass its second reading, by electronic vote (45-71).

#### **WITHDRAWAL OF BILLS FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE REHIRING

OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 532** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, AND TO REQUIRE NOTICE OF THE DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF NONCERTIFIED EMPLOYEES, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Judiciary II.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 170**, A BILL TO BE ENTITLED AN ACT TO ALLOW A FUEL TAX REFUND FOR OFF-ROAD FUEL USE BY MULCH-BLOWING EQUIPMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 6. The original bill is placed on the Unfavorable Calendar.

**H.B. 1019** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEPTAGE MANAGEMENT PROGRAM AND TO AUTHORIZE CERTAIN PERMIT FEES UNDER THAT PROGRAM, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar of June 6. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.J.R. 990** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THREE APPOINTMENTS BY

June 5, 2001

THE GOVERNOR OF NEW MEMBERS TO THE STATE BOARD OF EDUCATION, with a favorable report as to Committee Substitute Joint Resolution No. 2, which changes the title, unfavorable as to Committee Substitute Joint Resolution No. 1.

Pursuant to Rule 36(b), Committee Substitute Joint Resolution No. 2 is placed on the Calendar of June 6 as a Special Order of Business. Committee Substitute Joint Resolution No. 1 is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**S.B. 160** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 543** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW GOVERNING CONTROLLED SUBSTANCES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "AMBULATORY SURGICAL FACILITY" BY REDUCING THE NUMBER OF REQUIRED OPERATING ROOMS FROM TWO TO ONE AND TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICE" BY INCLUDING CONSTRUCTION, DEVELOPMENT, ESTABLISHMENT, INCREASE IN NUMBER, OR RELOCATION OF AN OPERATING ROOM OR OPERATING ROOMS AND TO EXTEND THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN TO ALL OPERATING ROOMS AND TO REPEAL S.L. 2000-135, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 220** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW DEFINING THE TIME STOCK AND OTHER EQUITY INTERESTS IN BUSINESS ASSOCIATIONS ARE PRESUMED ABANDONED FOR PURPOSES OF THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 257** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE TO GIVE THE SECRETARY OF STATE THE AUTHORITY TO PREVENT FRAUDULENT FILINGS AND TO MAKE CLARIFYING CHANGES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 275** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A LIMITED REGISTRATION PROCEDURE FOR CANADIAN SECURITIES DEALERS AND SALESMEN, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar

**S.B. 459** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTER-MEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED

CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES; AND TO ALLOW NORTH CAROLINA DOMESTIC INSURANCE COMPANIES TO FORM PROTECTED CELLS TO ACCESS ALTERNATIVE SOURCES OF CAPITAL AND ACHIEVE THE BENEFITS OF SECURITIZATION.

Representative Cox requests that he be excused from voting on this bill, to avoid the appearance of a conflict of interest, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 466** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS.

Representative Goodwin offers Amendment No. 1 which is adopted by electronic vote (112-0).

The bill, as amended, passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

Representative Morgan requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 801** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE FIREMEN REPORTING REQUIREMENTS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN LAWS RELATING TO THE CERTIFICATION OF WELL CONTRACTORS AND TO INCREASE THE MAXIMUM CIVIL PENALTY THAT MAY BE ASSESSED FOR VIOLATIONS OF THE WELL CONTRACTORS CERTIFICATION ACT OR THE WELL CONSTRUCTION ACT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### **CALENDAR (continued)**

**S.B. 825** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 937** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW, passes its second reading, by electronic vote (76-36), and there being no objection is read a third time.

Representative Justus requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (77-36).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 744**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS ON TEACHING PERSONAL FINANCIAL LITERACY IN THE PUBLIC SCHOOLS, is withdrawn from the Committee on Education and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 5:54 p.m. to reconvene June 6 at 2:00 p.m.

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## **SEVENTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 6, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Doctor Charles H. Mercer, United Methodist Pastor from Lake Junaluska, North Carolina.

"O God, our help in ages past, we thank You for our rich heritage, and ask for strength of body, mind, and soul to use our inheritance to Your glory and the good of all people in this great State.

June 6, 2001

"You have made Your people to be persons, not puppets. You have made us for a purpose. You have made us strong now direct our strength. Help us lest in our plenty we neglect those in need. Give us wisdom that even the good about us may not blind us to that which is better.

"This day, O Father, send Your blessing upon this Body whose decisions mean so much to so many. Give them wisdom greater in dimension than the tremendous problems with which they are confronted. Grant to each one the understanding that all truth has not been revealed to any one person, but that to each one some truth has been revealed. To those of whom so much is expected, may much be given.

"Blest be the tie that binds this group of public servants together in devotion to You and in service to all the people in North Carolina. Grant these things, O Merciful Father, we ask in great humility. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Hunter for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**H.B. 1070**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE RESIGNATION, REMOVAL, AND RENUNCIATION OF TRUSTEES AND FOR THE APPOINTMENT OF SUCCESSOR TRUSTEES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**S.B. 68** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT



POWERS OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES FOR THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 431** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CODIFY THE NEED-BASED SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, TO AMEND THE APPLICATION REQUIREMENTS, AND TO ALLOW THE STATE BOARD OF COMMUNITY COLLEGES TO TARGET A PORTION OF THE FUNDS TO STUDENTS ENROLLED IN HIGH DEMAND OCCUPATIONS, is returned for concurrence in Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), Senate Committee Substitute Bill No. 2 is placed on the Calendar of June 7.

**H.B. 817** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN RICHMOND COUNTY, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 7.

### WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 312** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN LAWS RELATING TO THE CERTIFICATION OF WELL CONTRACTORS AND TO INCREASE THE MAXIMUM CIVIL PENALTY THAT MAY BE ASSESSED FOR VIOLATIONS OF THE

WELL CONTRACTORS CERTIFICATION ACT OR THE WELL CONSTRUCTION ACT, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Environment and Natural Resources.

### CALENDAR

Action is taken on the following:

**H.B. 1045** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION.

On motion of Representative Baddour, the House concurs in the Senate committee substitute bill, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VANCE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX AND TO MAKE OTHER CHANGES TO THE VANCE COUNTY ROOM OCCUPANCY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Buchanan, Carpenter, Church, Clary, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Hensley,

Hiatt, Hill, Holliman, Holmes, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 93.

Voting in the negative: Representatives Allred, Baker, Boyd-McIntyre, Brubaker, Capps, Coates, Creech, Davis, Eddins, Gillespie, Harrington, Hilton, Kiser, Nye, Pope, Setzer, Shubert, and Warwick - 18.

Excused absence: Representative Hunter.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Saunders and without objection, **S.B. 535** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRA-TERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE, is withdrawn from the Calendar and re-referred to the Committee on Local Government I.

### **CALENDAR (continued)**

**S.B. 533**, A BILL TO BE ENTITLED AN ACT ALLOWING THE CHARLOTTE CITY AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES TO CONTROL THE LOCATION OF PERMANENT MARKERS ALONG PROPERTY LINES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**S.B. 584**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

**H.B. 1397** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR SERVICE OF PROCESS IN CIVIL

CASES AND TO EARMARK THE INCREASE TO ENSURE TIMELY SERVICE OF PROCESS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Allred, Baker, Capps, Daughtry, Eddins, Fitch, Hilton, Rayfield, Setzer, and Thompson - 10.

Excused absence: Representative Hunter.

**S.B. 123** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR WATER AND SEWER PROJECTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker,

Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Allred, Baker, Capps, Creech, Davis, Decker, Eddins, Setzer, and Starnes - 9.

Excused absence: Representative Hunter.

**H.B. 170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FUEL TAX REFUND FOR OFF-ROAD FUEL USE BY MULCH-BLOWING EQUIPMENT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representatives Haire and Rogers - 2.

Excused absence: Representative Hunter.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 91**, AN ACT TO AUTHORIZE THE ISSUANCE OF ADDITIONAL DEALER PLATES TO BUSINESSES ENGAGED IN THE ALTERATION AND SALE OF SPECIALTY VEHICLES.

**S.B. 202**, AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, TO REPEAL THE

SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998, TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND, AND TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

**S.B. 220**, AN ACT TO AMEND THE LAW DEFINING THE TIME STOCK AND OTHER EQUITY INTERESTS IN BUSINESS ASSOCIATIONS ARE PRESUMED ABANDONED FOR PURPOSES OF THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**S.B. 275**, AN ACT TO PROVIDE A LIMITED REGISTRATION PROCEDURE FOR CANADIAN SECURITIES DEALERS AND SALESMEN.

**S.B. 397**, AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS.

**S.B. 432**, AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS AND THE STATE OF NORTH CAROLINA TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP.

**S.B. 459**, AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTERMEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES; AND TO ALLOW NORTH

CAROLINA DOMESTIC INSURANCE COMPANIES TO FORM PROTECTED CELLS TO ACCESS ALTERNATIVE SOURCES OF CAPITAL AND ACHIEVE THE BENEFITS OF SECURITIZATION.

**S.B. 801**, AN ACT TO STREAMLINE THE FIREMEN REPORTING REQUIREMENTS.

**S.B. 825**, AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT.

**H.B. 235**, AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN.

**H.B. 452**, AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973.

### CALENDAR (continued)

**H.B. 1019** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEPTAGE MANAGEMENT PROGRAM AND TO AUTHORIZE CERTAIN PERMIT FEES UNDER THAT PROGRAM, passes its second reading, by electronic vote (111-7), and remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 719** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon,

Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 91.

Voting in the negative: Representatives Baker, Barnhart, Brubaker, Capps, Carpenter, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Hensley, Hilton, Howard, Johnson, Kiser, Mitchell, Rayfield, Setzer, Shubert, Starnes, Teague, Walend, and West - 26.

Excused absence: Representative Hunter.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Saunders and without objection, **S.B. 148** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ERECT MEMORIAL SIGNS ALONG HIGHWAYS FOR STATE HIGHWAY PATROL MEMBERS AND OTHER LAW ENFORCEMENT PERSONNEL KILLED IN THE LINE OF DUTY, is withdrawn from the Calendar and re-referred to the Committee on Transportation.

#### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE, passes its second reading, by electronic vote (66-51), and remains on the Calendar.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Blue and without objection, **S.B. 936** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING SEX OFFENDER REGISTRATION TO COMPLY WITH FEDERAL LAW IN ORDER TO MAINTAIN ELIGIBILITY FOR BYRNE GRANT FUNDING, is withdrawn from the Calendar and re-referred to the Committee on Judiciary I.



The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 6, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to **H.J.R. 1161** (Committee Substitute), 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 Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,  
S/ Janet B. Pruitt  
Principal Clerk

**JOINT SESSION**

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House announces the arrival of the Senate at the door of the House.

The Speaker directs the admittance of that Honorable Body and its officers. The President of the Senate, the Honorable Beverly E. Perdue, is seated to the right of the Speaker.

The Joint Session is called to order by the Speaker of the House.

The Speaker directs an electronic vote be taken of the House of Representatives to determine a quorum and the following Representatives are recorded as present:

Speaker Black; Representatives Adams, Alexander, Allen, Baddour, Baker, Barbee, Blue, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan,

June 6, 2001

Capps, Clary, Cole, Cox, M. Crawford, Creech, Culp, Culpepper, Daughtry, Davis, Decker, Dedmon, Dockham, Eddins, Esposito, Fitch, Fox, Gillespie, Grady, Gray, Gulley, Hackney, Hensley, Hiatt, Holmes, Insko, Jeffus, Justus, Kiser, Luebke, McComas, McCombs, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nye, Oldham, Owens, Pope, Rayfield, Rogers, Setzer, Sexton, Sherrill, Shubert, Starnes, Thompson, Tolson, Tucker, Underhill, Walend, Warner, Warwick, Weiss, and G. Wilson - 71.

The Speaker directs the Reading Clerk of the Senate to call the roll to determine a quorum and the following Senators answer present:

Senators Albertson, Ballance, Basnight, Berger, Bingham, Carpenter, Carter, Clodfelter, Cunningham, Dalton, Dannelly, Foxx, Garrou, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Odom, Plyler, Robinson, Shaw of Cumberland, Shaw of Guilford, Soles, Swindell, Thomas, Warren, Weinstein, and Wellons - 38.

A quorum of each Chamber is declared present.

**H.J.R. 990** (Committee Substitute No. 2), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF MICHELLE HOWARD-VITAL, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, is before the House of Representatives sitting in Joint Session.

The resolution passes its second reading, by electronic vote (115-2), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

The Speaker relinquishes the gavel to the President of the Senate.

The President receives **H.J.R. 990** (Committee Substitute No. 2), A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF MICHELLE HOWARD-VITAL, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION, from the House by Special Message.

On motion of Senator Dalton, the rules are suspended and the resolution is before the Body for immediate consideration.

The resolution passes its second reading with the following Senators voting in the affirmative:

Senators Albertson, Ballance, Basnight, Berger, Bingham, Carpenter, Carter, Clodfelter, Cunningham, Dalton, Dannelly, Foxx, Garrou, Gulley, Hagan, Harris, Hartsell, Horton, Hoyle, Jordan, Kerr, Kinnaird, Lee, Lucas, Martin of Pitt, Martin of Guilford, Metcalf, Miller, Odom, Plyler, Robinson, Shaw of Cumberland, Shaw of Guilford, Soles, Swindell, Thomas, Warren, Weinstein, and Wellons - 39.

The resolution passes its third reading and is ordered enrolled.

### **ENROLLED BILL**

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 990**, A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF THE APPOINTMENTS OF MICHELLE HOWARD-VITAL, WAYNE MCDEVITT, AND PATRICIA WILLOUGHBY TO MEMBERSHIP ON THE STATE BOARD OF EDUCATION. (RESOLUTION 2001-17)

The President of the Senate announces the confirmation of Michelle Howard-Vital, Wayne McDevitt, and Patricia Willoughby to the State Board of Education by the Senate and the House of Representatives.

The President of the Senate orders that the Principal Clerks of the House of Representatives and the Senate notify the Governor of the actions taken by the General Assembly sitting in Joint Session today.

On motion of Senator Basnight, the Joint Session is dissolved and the Senate stands adjourned.

The House resumes its business.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 829** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY TREATMENT OF CERTAIN SECURITY INTERESTS CREATED BY THE STATE OR GOVERNMENTAL UNITS OF THE STATE UNDER ARTICLE 9 OF THE NORTH CAROLINA UNIFORM

COMMERCIAL CODE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 898** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001.

Representative Capps offers Amendment No. 1 which is adopted by electronic vote (80-33).

Representative Fitch requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (81-33).

Representative Davis offers Amendment No. 2 which is adopted by electronic vote (86-26).

Representative Shubert offers Amendment No. 3 which fails of adoption by electronic vote (51-64).

Representative Blust offers Amendment No. 4 which is adopted by electronic vote (76-38).

Representative Goodwin offers Amendment No. 5 which fails of adoption by electronic vote (56-58).

On motion of the Chair, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 912** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE INDEXING, DOCKETING, OR RECORDING OF UNAUTHORIZED CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING UNAUTHORIZED STATUTORY LIENS, passes its second reading, by electronic vote (112-0).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

**S.B. 898** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, which was temporarily displaced, is before the Body.

Representative Ellis offers Amendment No. 6 which is adopted by electronic vote (109-7).

The bill, as amended, passes its second reading, by electronic vote (101-15).

Representative Shubert objects to the third reading. The bill remains on the Calendar.

On motion of Representative Culpepper, seconded by Representative Underhill, the House adjourns at 5:00 p.m. to reconvene June 7 at 12:00 Noon.

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## SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 7, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker Pro Tempore.

Prayer is offered by Dr. Dumas A. Harshaw, Jr., First Baptist Church, Raleigh, North Carolina.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allen, Arnold, Fitch, and Hunter for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 342**, AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS.

**S.B. 829**, AN ACT TO CLARIFY TREATMENT OF CERTAIN SECURITY INTERESTS CREATED BY THE STATE OR GOVERNMENTAL UNITS OF THE STATE UNDER ARTICLE 9 OF THE NORTH CAROLINA UNIFORM COMMERCIAL CODE.

**S.B. 854**, AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, TO CODIFY THESE REMOVALS, TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, AND TO PROVIDE THAT A TECHNICAL AMENDMENT TO THE STATE CONSTITUTION RELATING TO ACCEPTANCE AND DEDICATION OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE SHALL BE SUBMITTED TO A VOTE OF THE PEOPLE AT THE NEXT STATEWIDE PRIMARY ELECTION.

**H.B. 350**, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO SHARE WITH THE FEDERAL AND STATE FINANCIAL INSTITUTION REGULATORS INFORMATION ABOUT INSURANCE COMPANIES THAT ARE AFFILIATES OF DEPOSITORY INSTITUTIONS OR OF FINANCIAL HOLDING COMPANIES; TO AMEND THE INSURANCE HOLDING COMPANY ACT AND AN INSURANCE COMPANY INVESTMENT STATUTE TO COMPLY WITH FEDERAL LAW, IN ACCORDANCE WITH THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102.

**H.B. 803**, AN ACT TO TRANSFER THE SAVINGS INSTITUTIONS DIVISION TO THE STATE BANKING COMMISSIONER; TO AUTHORIZE ADDITIONAL DEPUTY COMMISSIONERS; TO MERGE THE SAVINGS INSTITUTIONS COMMISSION WITH THE STATE BANKING COMMISSION; TO REQUIRE THE COMMISSIONER TO REPORT TO THE GENERAL ASSEMBLY; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTES.

**H.B. 1045**, AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT

PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 533**, AN ACT ALLOWING THE CHARLOTTE CITY AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES TO CONTROL THE LOCATION OF PERMANENT MARKERS ALONG PROPERTY LINES.

**S.B. 584**, AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 853**, A JOINT RESOLUTION ACCEPTING PROPERTIES OWNED BY THE STATE OF NORTH CAROLINA FOR INCLUSION IN THE STATE NATURE AND HISTORIC PRESERVE. (RESOLUTION 2001-18)

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

The following is introduced, read the first time and referred to committee:

By Representative McLawhorn:

**H.R. 1457**, A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Education.

### **MESSAGE FROM THE SENATE**

The following is received from the Senate:

Senate Committee Substitute for **H.B. 910** (Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF CARY, GARNER, MORRISVILLE, KNIGHTDALE, FUQUAY-VARINA AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 11.

Upon concurrence, the Senate committee substitute bill changes the title.

### CONFERENCE REPORT

Representative Cole sends forth a Conference Report on House Committee Substitute for **S.B. 666** (Conference Report), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 11.

### CALENDAR

Action is taken on the following:

**H.B. 817** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN RICHMOND COUNTY.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, by electronic vote (103-0), and the bill is ordered enrolled.

**H.B. 431** (Senate Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO CODIFY THE NEED-BASED SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, TO AMEND THE APPLICATION REQUIREMENTS, AND TO ALLOW THE STATE



BOARD OF COMMUNITY COLLEGES TO TARGET A PORTION OF THE FUNDS TO STUDENTS ENROLLED IN HIGH-DEMAND OCCUPATIONS.

On motion of Representative Saunders, the House concurs in Senate Committee Substitute Bill No. 2, by electronic vote (104-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 765** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VANCE COUNTY TO LEVY AN ADDITIONAL THREE PERCENT ROOM OCCUPANCY TAX AND TO MAKE OTHER CHANGES TO THE VANCE COUNTY ROOM OCCUPANCY TAX, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Buchanan, Carpenter, Church, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Easterling, Ellis, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Oldham, Owens, Pope, Preston, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, West, G. Wilson, Womble, and Yongue - 85.

Voting in the negative: Representatives Baker, Brubaker, Capps, Coates, Creech, Davis, Eddins, Esposito, Gillespie, Harrington, Hilton, Justus, Kiser, Nye, Rayfield, Setzer, Shubert, Thompson, Underhill, and Warwick - 20.

Excused absences: Representatives Allen, Arnold, Fitch, and Hunter - 4.

Representative Edwards requests and is granted permission to be recorded as voting "aye". Representative Allred requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (85-21).

**H.B. 170** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW A FUEL TAX REFUND FOR OFF-ROAD FUEL USE BY MULCH-BLOWING EQUIPMENT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 104.

Voting in the negative: Representatives Haire and Rogers - 2.

Excused absences: Representatives Allen, Arnold, Fitch, and Hunter - 4.

**H.B. 1019** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE SEPTAGE MANAGEMENT PROGRAM AND TO AUTHORIZE CERTAIN PERMIT FEES UNDER THAT PROGRAM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Buchanan, Carpenter, Church, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: Representatives Allred, Brubaker, Creech, Eddins, Esposito, Gillespie, Hilton, Kiser, Setzer, and Thompson - 10.

Excused absences: Representatives Allen, Arnold, Fitch, and Hunter - 4.

**S.B. 719** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Buchanan, Church, Coates, Cole, Cox, J. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hiatt, Hill, Holliman, Holmes, Howard, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, McAllister, McComas, McCombs, McLawhorn, McMahan, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Smith, Sutton, Thompson, Tolson, Underhill, Wainwright, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, and Yongue - 84.

Voting in the negative: Representatives Baker, Barnhart, Brubaker, Capps, Carpenter, M. Crawford, Creech, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Hensley, Hilton, Kiser, Rayfield, Setzer, Shubert, Starnes, Teague, Walend, Walker, and West - 24.

Excused absences: Representatives Allen, Arnold, Fitch, and Hunter - 4.

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE.

On motion of Representative Baddour and without objection, the bill is temporarily displaced.

**S.B. 898** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001.

Representative Capps offers Amendment No. 7.

On motion of the Chair, the bill with pending amendment is temporarily displaced.

**S.B. 912** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE INDEXING, DOCKETING, OR RECORDING OF UNAUTHORIZED CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING UNAUTHORIZED STATUTORY LIENS.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (111-0).

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 160** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS.

On motion of the Chair, the bill is temporarily displaced.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Saunders and without objection, **S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION, is withdrawn from the Calendar and placed on the Calendar of June 13.

#### **CALENDAR (continued)**

**S.B. 468** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS AND NONRENEWALS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 543** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW

GOVERNING CONTROLLED SUBSTANCES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 160** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 898** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, which was temporarily displaced with Amendment No. 7 pending, is before the Body.

Representative Capps withdraws Amendment No. 7.

Representative Shubert offers Amendment No. 8 which fails of adoption by electronic vote (38-73).

Representative Shubert offers Amendment No. 9 which fails of adoption by electronic vote (19-92).

Representative Luebke offers Amendment No. 10.

Representative Goodwin offers perfecting Amendment No. 11 which is adopted by electronic vote (101-12).

Amendment No. 10 is before the Body.

Representative Michaux moves that the bill and amendment be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative Michaux withdraws his motion.

Pursuant to Rule 36.1, Representative Thompson requests a fiscal note on Amendment No. 10. With Amendment No. 10 pending, the bill is removed

from the Calendar and ordered engrossed, awaiting the attachment of a fiscal note.

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE, which was temporarily displaced, is before the Body.

On motion of Representative Baddour and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 12.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Wright, Chair, for the Committee on Health:

**S.B. 1075**, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL GIFT ACT, with a favorable report as to the House committee substitute bill, unfavorable as to the original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRAL**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer **H.R. 1457**, A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES, to the Education Subcommittee on Community Colleges.

On motion of Representative Culpepper, seconded by Representative Walend, the House adjourns at 1:28 p.m. to reconvene Monday, June 11, 2001, at 7:00 p.m.

**SEVENTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, June 11, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving God, You are ever present with us; help us to remain open to that presence. Save us from the deception that when this prayer's 'amen' is spoken we are finished with You and You with us. Rather, from this sacred time focused upon You may we continue with a sense of Your attendance in our lives. May our speech reflect the fact that You are listening, our thoughts reflect that You are knowing, our actions that You are watching. In all that we say, think, and do, guide us that we might not be embarrassed by Your company, nor bring disgrace to Your name. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Fox, Hiatt, Hunter, Morris, Russell, and West for today.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 160**, AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS.

**S.B. 257**, AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE TO GIVE THE SECRETARY OF STATE THE AUTHORITY TO PREVENT FRAUDULENT FILINGS AND TO MAKE CLARIFYING CHANGES.

**S.B. 466**, AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS.

**S.B. 543**, AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW GOVERNING CONTROLLED SUBSTANCES.

**S.B. 937**, AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW.

**H.B. 431**, AN ACT TO CODIFY THE NEED-BASED SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, TO AMEND THE APPLICATION REQUIREMENTS, AND TO ALLOW THE STATE BOARD OF COMMUNITY COLLEGES TO TARGET A PORTION OF THE FUNDS TO STUDENTS ENROLLED IN HIGH-DEMAND OCCUPATIONS.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 817**, AN ACT RELATING TO THE DEFINITION OF SUB-DIVISION IN RICHMOND COUNTY.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 331**, AN ACT TO PROVIDE FOR THE APPOINTMENT OF TWO ADDITIONAL PUBLIC MEMBERS OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION. (S.L. 2001-166)

**S.B. 852**, AN ACT TO AUTHORIZE THE STATE TO PURCHASE OWNER-CONTROLLED OR WRAP-UP INSURANCE FOR PUBLIC WORKS PROJECTS. (S.L. 2001-167)

**S.B. 731**, AN ACT TO UPDATE AND MODIFY THE PROCESS FOR DEVELOPMENT OF COORDINATED TRANSPORTATION PLANS. (S.L. 2001-168)



**S.B. 716**, AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES, AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS JURORS. (S.L. 2001-169)

**H.B. 752**, AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO REGULATE PARKING ON CERTAIN STREETS. (S.L. 2001-170)

**H.B. 1090**, AN ACT PROVIDING THAT THE PRESIDENT OF THE NORTH CAROLINA RURAL ECONOMIC DEVELOPMENT CENTER SHALL SERVE AS AN EX OFFICIO MEMBER OF THE RURAL INTERNET ACCESS AUTHORITY. (S.L. 2001-171)

**H.B. 1160**, AN ACT TO PROVIDE FOR UNIFORM PROVIDER CREDENTIALING BY HEALTH INSURANCE PLANS. (S.L. 2001-172)

**H.B. 1149**, AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, AND TO CLARIFY THE LAW PROHIBITING RETALIATION AGAINST EMPLOYEES WHO REPORT SEXUAL HARASSMENT. (S.L. 2001-173)

**S.B. 378**, AN ACT TO PERMIT AN INDIVIDUAL WHO HAS LEADERSHIP, MANAGEMENT, AND ADMINISTRATIVE ABILITY IN A FIELD OTHER THAN EDUCATION TO SERVE AS A LOCAL SUPERINTENDENT OF SCHOOLS. (S.L. 2001-174)

**H.B. 665**, AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR ASSAULT, BATTERY, AND FALSE IMPRISONMENT TO THREE YEARS IN ORDER TO PROVIDE THAT THE PERIOD OF LIMITATIONS FOR THESE INTENTIONAL TORTS IS AS LONG AS THE PERIOD OF LIMITATIONS FOR UNINTENTIONAL TORTS. (S.L. 2001-175)

**H.B. 436**, AN ACT AUTHORIZING THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS TO ESTABLISH NEW FEES AND INCREASE CERTAIN CURRENT FEES AND AMENDING CERTAIN PROVISIONS UNDER THE ELECTROLYSIS PRACTICE ACT RELATING TO FEES. (S.L. 2001-176)

**H.B. 1053**, AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION

WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR. (S.L. 2001-177)

**S.B. 71**, AN ACT TO ESTABLISH A PILOT PROGRAM UNDER WHICH PARTICIPATING LOCAL SCHOOL ADMINISTRATIVE UNITS PLACE ALL STUDENTS WHO ARE ON SHORT-TERM OUT-OF-SCHOOL SUSPENSION IN ALTERNATIVE LEARNING PROGRAMS. (S.L. 2001-178)

**S.B. 876**, AN ACT TO PROVIDE THAT ATTENDANCE AT A DAY REPORTING CENTER BE A LEVEL ONE DISPOSITION FOR DELINQUENT JUVENILES. (S.L. 2001-179)

**S.B. 321**, AN ACT TO PROVIDE FOR SHARING OF INFORMATION PRODUCED BY, OBTAINED BY, OR DISCLOSED TO THE INSURANCE COMMISSIONER UNDER THE EXAMINATION LAW; AND TO CLARIFY THAT THE EXAMINATION LAW APPLIES TO ALL ENTITIES SUBJECT TO REGULATION BY THE INSURANCE COMMISSIONER. (S.L. 2001-180)

**S.B. 311**, AN ACT TO AMEND THE PROVISIONS OF THE NORTH CAROLINA HOUSING FINANCE AGENCY ACT TO MAKE TECHNICAL AMENDMENTS AND TO AUTHORIZE THE INVESTMENT OF MONEY HELD BY THE AGENCY IN CERTAIN BONDS. (S.L. 2001-181)

**S.B. 259**, AN ACT TO AMEND THE SECURITIES DEALER REGISTRATION STATUTES TO ABOLISH THE CHURCH BOND DEALER RESTRICTION. (S.L. 2001-182)

**S.B. 258**, AN ACT TO REQUIRE RESCISSION OFFERS TO BE FILED WITH THE SECRETARY OF STATE. (S.L. 2001-183)

**H.B. 311**, AN ACT TO AUTHORIZE INDIAN TRIBES TO ELECT TO MAKE UNEMPLOYMENT PAYMENTS, IN LIEU OF CONTRIBUTIONS, TO REIMBURSE ACTUAL COMPENSATION PAID WITH RESPECT TO EMPLOYEES, AS REQUIRED BY FEDERAL LAW. (S.L. 2001-184)

**S.B. 236**, AN ACT TO INCREASE THE CAP ON BONDS OUTSTANDING FOR THE HOUSING FINANCE AGENCY FROM \$1.5 BILLION TO \$3 BILLION. (S.L. 2001-185)

**H.B. 438**, AN ACT TO CLARIFY THE PERFORMANCE MEASURES ON WHICH COMMUNITY COLLEGES ARE EVALUATED FOR THE PURPOSE OF PERFORMANCE BUDGETING. (S.L. 2001-186)

**S.B. 533**, AN ACT ALLOWING THE CHARLOTTE CITY AND MECKLENBURG COUNTY SUBDIVISION ORDINANCES TO CONTROL THE LOCATION OF PERMANENT MARKERS ALONG PROPERTY LINES. (S.L. 2001-187)

**S.B. 584**, AN ACT TO MODIFY THE DISTRIBUTIONS FROM THE TOWN OF RUTHERFORDTON BOARD OF ALCOHOLIC BEVERAGE CONTROL. (S.L. 2001-188)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 243** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS, with a favorable report as to House Committee Substitute Bill No. 3, which changes the title, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 3 is placed on the Calendar. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1073**, A BILL TO BE ENTITLED AN ACT TO CREATE AN AUTOMATION ENHANCEMENT AND PRESERVATION FUND AND EXPAND THE UNIFORM FEES FOR SERVICES CHARGED BY REGISTERS OF DEEDS AND TO ENHANCE THE STANDARDS FOR INSTRUMENTS TO BE REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 12. The original bill is placed on the Unfavorable Calendar.

**S.B. 823** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 12. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 573**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT NONRESIDENTS MAY PARTICIPATE IN THE PARENTAL SAVINGS TRUST FUND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

**S.B. 811** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PARENTS OR GUARDIANS OF STUDENTS WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL RECEIVE NOTICE THAT IS EASY TO UNDERSTAND, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 12.

**S.B. 879** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE SOME BUDGET FLEXIBILITY TO THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### CONFERENCE REPORT

Representative Cole moves the adoption of the following Conference Report.

House Committee Substitute for **S.B. 666**

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on S.B. 666, A BILL TO BE ENTITLED

June 11, 2001

AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE, House Committee Substitute Favorable 5/16/01, submit the following report:

The Senate and House of Representatives agree to the following amendment to the House Committee Substitute Favorable 5/16/01, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute Favorable 5/16/01 and substitute the attached Proposed Conference Committee Substitute S666-CCSRW-001.

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

Date conferees approved report: May 30, 2001.

*Conferees for the  
Senate*

S/ Aaron Plyler  
S/ William Purcell

*Conferees for the  
House of Representatives*

S/ Nelson Cole  
S/ Pryor Gibson  
S/ Charles Buchanan

The Conference Report is adopted, by electronic vote (95-3), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

## CALENDAR

Action is taken on the following:

**H.B. 910** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF DURHAM AND THE TOWNS OF CARY, GARNER, MORRISVILLE, KNIGHTDALE, FUQUAY-VARINA, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS.

On motion of Representative Weiss, the House concurs in the Senate committee substitute bill, by electronic vote (92-9), and the bill is ordered enrolled.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 68** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT POWERS OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, TO MAKE CONFORMING CHANGES FOR THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND TO DIRECT THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE TO STUDY THE COMPOSITION OF THE COMMISSION, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### INTRODUCTION OF PAGES

Pages for the week of June 11 are introduced to the membership. They are: Kenneth Anderson of Craven; Roslyn Banks of Columbus; Kourtney Barnes of Wake; Natalie Cantler of Jackson; Savannah Cress of Wake; Jennifer Graves of Randolph; Jonathan Grice of Guilford; Leia Harris of Wake; Richard Haywood of Wake; Ambria Jenkins of Wake; Mary Pat Kenyon of Wake; Drexel King of Wake; Jarrod Milton of Vance; William Parrish of Rockingham; Anna Parsons of Caldwell; Adam Sain of Davie; Andrea Shehan of Hoke; Peter Silliman of Mecklenburg; James Russell Stackhouse of Wayne; Rebekah Sullivan of Ashe; Ashley Vickers of Cumberland; Anthony Warren of Wake; and Lauren Winkler of Caldwell.

Representative Culpepper moves, seconded by Representative Underhill that the House adjourn, subject to the referral of bills to subcommittees, to reconvene June 12 at 3:00 p.m.

The motion carries.

**SUBCOMMITTEE REFERRALS**

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Justice and Public Safety:

**H.B. 87**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH TEEN COURT PROGRAMS IN BURKE AND CATAWBA COUNTIES AND TO FUND THE TEEN COURT PROGRAM IN CALDWELL COUNTY;

**H.B. 199**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR JURY CONSULTANTS;

**H.B. 241** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A FAMILY DRUG TREATMENT COURT PROGRAM AND A JUVENILE DRUG TREATMENT COURT PROGRAM AND TO FUND THE FAMILY DRUG TREATMENT COURT PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH;

**H.B. 313**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE ECKERD WILDERNESS EDUCATIONAL FACILITIES FOR AT-RISK YOUTH;

**H.B. 378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE JUVENILE CRIME PREVENTION COUNCILS;

**H.B. 490**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 10;

**H.B. 491**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A PILOT PROGRAM FOR COMPUTER TRAINING OF DISTRICT COURT JUDGES;

**H.B. 492**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THREE ADDITIONAL DISTRICT COURT JUDGES IN DISTRICT 10;

**H.B. 493**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR INDECENT EXPOSURE;

**H.B. 530**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGE IN DISTRICT 24;

**H.B. 679**, A BILL TO BE ENTITLED AN ACT TO CONTINUE THE OPERATION OF THE CUMBERLAND COUNTY JUVENILE ASSESSMENT CENTER PROJECT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE;

**H.B. 753**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SEXUAL ASSAULT PROGRAMS AND SEXUAL ASSAULT PREVENTION;

**H.B. 901**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL FAMILY COURT PILOT PROGRAMS;

**H.B. 939**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE;

**H.B. 966**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITION IN PROSECUTORIAL DISTRICT EIGHT TO ALLOW FOR THE ASSIGNMENT OF SENIOR ASSISTANT DISTRICT ATTORNEYS TO THE FAMILY COURT PILOT IN THAT DISTRICT;

**H.B. 976**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE WOMEN AT RISK PROGRAM;

**H.B. 1132**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM FEES PAID FOR JURY SERVICE;

**H.B. 1142**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM;

**H.B. 1359**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COURTHOUSE CHILD CARE CENTERS;

**H.B. 1378**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MAGISTRATE IN CHOWAN COUNTY;



**S.B. 346** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT AMENDING THE LAW REGARDING THE CRIMINAL OFFENSE OF STALKING AND CERTAIN DOMESTIC VIOLENCE LAWS; and

**S.B. 465** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO DISCHARGE A FIREARM INTO AN UNOCCUPIED BUILDING, VEHICLE, OR OTHER ENCLOSURE.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Health and Human Services:

**H.B. 52**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF INSURANCE AND OTHER ENTITIES TO IMPLEMENT AN OUTREACH STRATEGY TO INFORM THE PUBLIC ABOUT LONG-TERM CARE FUNDING AND PAYMENT OPTIONS;

**H.B. 65**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE COUNTY SHARE OF NONFEDERAL PAYMENTS FOR THE MEDICAID PROGRAM FOR CERTAIN COUNTIES AND TO APPROPRIATE FUNDS TO COVER THE REDUCTION IN COUNTY NONFEDERAL PAYMENTS;

**H.B. 88**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PREVENTION OF BIRTH DEFECTS;

**H.B. 120**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE HOME AND COMMUNITY CARE BLOCK GRANT FOR SERVICES TO IMPAIRED OLDER ADULTS;

**H.B. 121**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS ACROSS THE STATE;

**H.B. 122**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PRESCRIPTION DRUG ASSISTANCE PROGRAM;

**H.B. 135**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TRAUMATIC BRAIN INJURY UNIT IN GOLDSBORO;

**H.B. 176**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADULT WORK ORDER DAY PROGRAM;

**H.B. 204** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE WAITING PERIOD FOR COVERAGE UNDER THE NORTH CAROLINA HEALTH INSURANCE PROGRAM FOR CHILDREN (NORTH CAROLINA HEALTH CHOICE);

**H.B. 214**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADULT DAY CARE FUND TO PROVIDE FOR A RATE INCREASE FOR ADULT DAY SERVICES;

**H.B. 215**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO INCREASE THE COMMUNITY ALTERNATIVES PROGRAM (CAP) INCOME ELIGIBILITY LIMITS AND TO APPROPRIATE FUNDS THEREFOR;

**H.B. 244**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LABOR ENHANCEMENT PAYMENTS FOR WORKERS IN LONG-TERM CARE FACILITIES AND AGENCIES;

**H.B. 380**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COALITION 2001 PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES;

**H.B. 391**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ESTABLISHMENT OF HEALTHY CAROLINIAN PARTNERSHIP INITIATIVES IN EACH COUNTY;

**H.B. 392**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HEALTHY START FOUNDATION;

**H.B. 393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROMOTE THE USE OF EVIDENCED-BASED CLINICAL GUIDELINES;

**H.B. 394**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PRENATAL CARE FOR NON-MEDICAID, LOW-INCOME WOMEN;

**H.B. 395**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ADDRESS LOCAL GAPS IN PERINATAL HEALTH CARE SYSTEMS;

**H.B. 396**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHILD MEDICAL EVALUATION PROGRAM;

**H.B. 454**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OSTEOPOROSIS AWARENESS AND EDUCATION ACTIVITIES;

**H.B. 464**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF HIV/AIDS;

**H.B. 496**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE WESTERN HARNETT SENIOR CENTER;

**H.B. 506**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES FOR GROUP HOMES FOR AUTISTIC PERSONS;

**H.B. 507**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE THE TEACCH PROGRAM TO PROVIDE SERVICES TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS;

**H.B. 508**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADMINISTRATIVE OPERATIONS OF THE AUTISM SOCIETY OF NORTH CAROLINA TO SUPPORT SERVICES PROVIDED ON BEHALF OF THE STATE;

**H.B. 515**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FOOD BANKS;

**H.B. 563**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MAXIMIZE FEDERAL FUNDS TO SERVE ADDITIONAL CHILDREN UNDER THE HEALTH INSURANCE PROGRAM FOR CHILDREN (NC HEALTH CHOICE);

**H.B. 566**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MATCH FEDERAL FUNDS TO PROVIDE FULL

MEDICAID COVERAGE TO ELIGIBLE WOMEN DETERMINED TO NEED TREATMENT FOR BREAST CANCER OR CERVICAL CANCER;

**H.B. 592**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ACTIVITIES OF THE COUNCIL ON DEVELOPMENTAL DISABILITIES;

**H.B. 594**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE NUMBER OF COMMUNITY-BASED PHARMACEUTICAL ASSISTANCE PROGRAMS FOR LOW-INCOME ELDERLY PERSONS IN NORTH CAROLINA;

**H.B. 627**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE INTENSIVE HOME VISITING INITIATIVE;

**H.B. 692**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ESTABLISHING AND MAINTAINING STATEWIDE ASTHMA MANAGEMENT AND CONTROL ACTIVITIES;

**H.B. 714**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ALICE AYCOCK POE CENTER FOR HEALTH EDUCATION;

**H.B. 717**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PURPOSE OF DEVELOPING A MEDIA CAMPAIGN ADVERTISING THE PROVISIONS OF HOUSE BILL 275;

**H.B. 734**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EDUCATE THE GENERAL PUBLIC AND TO INCREASE AWARENESS OF HEPATITIS C AS A PUBLIC HEALTH THREAT IN NORTH CAROLINA;

**H.B. 735**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR DIABETES CONTROL ACTIVITIES;

**H.B. 788**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR UNCOMPENSATED PRENATAL CARE FOR NON-MEDICAID, LOW-INCOME PATIENTS SERVED BY LOCAL HEALTH DEPARTMENTS;

**H.B. 797**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE TRAINING TO AREA PROGRAM BOARDS;

**H.B. 843**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEDICAID REIMBURSEMENT RATE FOR DENTAL CARE FOR MEDICAID ELIGIBLE CHILDREN AND ADULTS;

**H.B. 921**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO EXTEND ADOPTION ASSISTANCE PAYMENTS TO AGE NINETEEN, TO INCREASE VENDOR PAYMENTS FOR POST-ADOPTION SERVICES, AND TO INCREASE ADOPTION ASSISTANCE PAYMENTS IN THE SPECIAL NEEDS ADOPTIONS INCENTIVE FUND;

**H.B. 937**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DIABETES CONTROL AND EDUCATION ACTIVITIES;

**H.B. 949**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUED SPEECH CENTER;

**H.B. 950**, A BILL TO BE ENTITLED AN ACT TO RAISE THE ELIGIBILITY CAP FOR PARTICIPATION IN THE AIDS DRUG ASSISTANCE PROGRAM TO TWO HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LEVEL;

**H.B. 973**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INTERPRETER SERVICES IN LOCAL HEALTH DEPARTMENTS IN COUNTIES WITH A SUBSTANTIAL NUMBER OF SPANISH-SPEAKING RESIDENTS;

**H.B. 994**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REQUEST APPROVAL FOR A MEDICAID WAIVER FOR TRAUMATIC BRAIN INJURY SERVICES;

**H.B. 995**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A VARICELLA VACCINE PROGRAM FOR CHILDREN;

**H.B. 1033**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILD CARING INSTITUTIONS;

**H.B. 1082**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE SHALL PAY ONE HUNDRED PERCENT OF THE

NONFEDERAL SHARE OF MEDICAID COSTS AND TO APPROPRIATE FUNDS THEREFOR;

**H.B. 1148**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF STATE-COUNTY SPECIAL ASSISTANCE FOR ALTERNATIVE LIVING ARRANGEMENTS;

**H.B. 1238**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE PRESCRIPTION DRUG COVERAGE FOR ELDERLY AND DISABLED PERSONS NOT OTHERWISE ELIGIBLE FOR MEDICAID;

**H.B. 1265**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROJECT; TO CONVENE A QUALITY STANDARDS WORK GROUP TO EXPLORE ALTERNATIVES TO OVERSIGHT AND SURVEY PRACTICES; AND PERTAINING TO SURVEY TEAM MEMBERS OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN REVIEWING NURSING HOME PROVIDER COMPLIANCE WITH STATE AND FEDERAL LAW;

**H.B. 1358**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EARLY INTERVENTION SERVICES AND ACTIVITIES;

**H.B. 1369**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH ELIGIBILITY CRITERIA FOR THE STATE ABORTION FUND AND TO APPROPRIATE FUNDS TO THE STATE ABORTION FUND;

**H.B. 1370**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL MEDICAID CAP-CHILDREN SLOTS;

**H.B. 1375**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR GENETIC HEALTH CARE SERVICES TO ASSIST IN THE PREVENTION OF INFANT MORTALITY AND OTHER DISEASES AND DISABILITIES RELATED TO GENETIC DISORDERS;

**H.B. 1380**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE CREATION OF MEDICAL CHILD CARE CENTERS AND TO APPROPRIATE FUNDS FOR THIS PURPOSE;

**H.B. 1395**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO PROVIDE HOLOCAUST EDUCATION IN THE PUBLIC SCHOOLS;

**H.B. 1406**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PUBLIC HEALTH IMPROVEMENT DEMONSTRATION PROJECT IN TIER ONE COUNTIES; and

**H.B. 1407**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH THE PRESCRIPTION DRUG ACCESS PROGRAM.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Education:

**H.B. 54**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE SUPPLEMENTAL FUNDING FOR LOW-WEALTH SCHOOL SYSTEM;

**H.B. 192**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO ADDRESS THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN WHICH GROUP HOMES FOR CHILDREN ARE LOCATED AND TO PROVIDE FUNDS FOR THE EDUCATION OF THESE CHILDREN;

**H.B. 239**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE ACTIVITIES OF THE NORTH CAROLINA GEOGRAPHIC ALLIANCE;

**H.B. 341**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMUNITY COLLEGES SYSTEM TO PAY FEES AND MATERIAL COSTS FOR SOME COMPANIES UNDER THE FOCUSED INDUSTRIAL TRAINING PROGRAM;

**H.B. 373**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PAY A BONUS TO CHILD NUTRITION PERSONNEL IN THE PUBLIC SCHOOLS;

**H.B. 401** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE BUDGET FLEXIBILITY TO THE COMMUNITY COLLEGES SYSTEM OFFICE;

**H.B. 412**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A RESEARCH AND OUT-

REACH PROGRAM FOR THE CONTROL OF THE RED IMPORTED FIRE ANT;

**H.B. 417**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR SCHOOL TECHNOLOGY NEEDS;

**H.B. 420**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SCHOOL BREAKFAST PROGRAM;

**H.B. 422**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MEET THE NEEDS OF COMMUNITY COLLEGE STUDENTS WITH DISABILITIES;

**H.B. 443** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A NORTH CAROLINA COMMUNITY COLLEGES INSTRUCTIONAL TRUST FUND;

**H.B. 525**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REMOVE THE CAP ON FUNDING FOR CHILDREN WITH SPECIAL NEEDS IN THE PUBLIC SCHOOLS;

**H.B. 537**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NATURAL RESOURCES LEADERSHIP INSTITUTE, A PROJECT OF THE NORTH CAROLINA COOPERATIVE EXTENSION SERVICE;

**H.B. 724**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY;

**H.B. 805**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PSYCHIATRY AT THE UNC SCHOOL OF MEDICINE FOR INPATIENT TREATMENT OF INDIGENT PATIENTS IN ORANGE, PERSON, AND CHATHAM COUNTIES;

**H.B. 835**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANT OPERATION SECTION OF THE DEPARTMENT OF PUBLIC INSTRUCTION;

**H.B. 863**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL GROWTH AT SOUTH PIEDMONT COMMUNITY COLLEGE;



**H.B. 954**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN AVID TEACHER TRAINING PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE;

**H.B. 964**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENABLE EAST CAROLINA UNIVERSITY TO CONDUCT FRESHWATER MARINE RESEARCH IN WASHINGTON COUNTY;

**H.B. 988**, A BILL TO BE ENTITLED AN ACT TO SUSPEND THE APPLICATION OF THE STATEWIDE STUDENT ACCOUNTABILITY STANDARDS UNTIL ADEQUATE RESOURCES ARE AVAILABLE TO ENSURE THAT ALL STUDENTS HAVE A FULL AND FAIR OPPORTUNITY TO PASS THESE STANDARDS;

**H.B. 1018**, A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA HIGH PRIORITY SCHOOL ASSISTANCE AND ACCOUNTABILITY ACT OF 2001;

**H.B. 1039**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR PUBLIC TELEVISION;

**H.B. 1044**, A BILL TO BE ENTITLED AN ACT TO STUDY THE FEASIBILITY OF ESTABLISHING A SCHOOL OF ENGINEERING AT EAST CAROLINA UNIVERSITY AND TO APPROPRIATE FUNDS FOR THAT STUDY;

**H.B. 1103**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CUED SPEECH CENTER;

**H.B. 1150**, A BILL TO BE ENTITLED AN ACT TO ENSURE FAIRNESS IN THE NORTH CAROLINA STATEWIDE TESTING PROGRAM;

**H.B. 1337**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL SUPPORT FOR INITIALLY LICENSED TEACHERS;

**H.B. 1374**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION TO CONTINUE THE WORK OF THE CONSORTIUM OF THE HISTORICALLY MINORITY COLLEGE AND UNIVERSITY INITIATIVE TO DETERMINE THE BEST METHODS FOR CLOSING THE ACHIEVEMENT GAP AMONG CHILDREN OF VARIOUS DEMOGRAPHIC GROUPS WHO ARE PERFORMING BELOW GRADE LEVEL;

**H.B. 1391**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA SHALL RECEIVE LESS IN STATE FUNDING FOR THE ENROLLMENT OF FULL-TIME EQUIVALENT STUDENTS THAN WAS RECEIVED BY THE CONSTITUENT INSTITUTION FOR THE PRIOR FISCAL YEAR;

**H.B. 1392**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE 2001-2002 FISCAL YEAR TO THE BOARD OF GOVERNORS FOR NEED-BASED FINANCIAL AID SHALL BE ALLOCATED ONLY TO CONSTITUENT INSTITUTIONS THAT ARE NOT RESEARCH INSTITUTES;

**H.B. 1412**, A BILL TO BE ENTITLED AN ACT TO DECREASE THE AID TO PRIVATE INSTITUTIONS FOR A STUDENT WHO IS, OR CAN BE CLAIMED AS A DEPENDENT BY, AN UPPER TAX BRACKET TAXPAYER;

**H.B. 1413**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A STUDENT WHO IS, OR CAN BE CLAIMED AS A DEPENDENT BY, AN UPPER TAX BRACKET TAXPAYER SHALL PAY TUITION TO ATTEND THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS OR THE NORTH CAROLINA SCHOOL OF THE ARTS;

**H.B. 1004** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD ANSON COUNTY AND PAMLICO COUNTY TO THE MODEL TEACHER EDUCATION CONSORTIUM;

**H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA SHALL NOT OFFER REMEDIAL EDUCATION PROGRAMS; and

**S.B. 744**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PILOT PROGRAMS ON TEACHING PERSONAL FINANCIAL LITERACY IN THE PUBLIC SCHOOLS.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Natural and Economic Resources:

**H.B. 23**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FARMLAND PRESERVATION TRUST FUND;

**H.B. 24**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CONSERVATION TRUST FOR NORTH CAROLINA TO SUPPORT THE WORK OF THE STATE'S PRIVATE LAND TRUSTS AND TO PROMOTE VOLUNTARY LAND CONSERVATION AGREEMENTS WITH PRIVATE LANDOWNERS;

**H.B. 219**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENVIRONMENTAL ASSISTANCE FOR FARMERS;

**H.B. 285** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OPERATION OF THE YADKIN/PEE DEE LAKES PROJECT;

**H.B. 291**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INFORMATION TECHNOLOGY IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES;

**H.B. 293**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ENDANGERED PLANT PROTECTION;

**H.B. 294**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTROL OF FIRE ANTS;

**H.B. 300**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTROL AND ERADICATE JOHNE'S DISEASE, A LIVESTOCK DISEASE THAT AFFECTS DAIRY AND BEEF CATTLE PRODUCTION;

**H.B. 301**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FOOD AND DRUG PROTECTION IMPROVEMENTS;

**H.B. 345**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE EMPLOYMENT SECURITY COMMISSION TO EXPEND REED ACT FUNDS;

**H.B. 413**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE IMPORTED FIRE ANT PROGRAM IN THE PLANT INDUSTRY DIVISION OF THE NORTH

CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES;

**H.B. 415**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL LP GAS INSPECTORS AND FOR OPERATING COSTS OF THE LP GAS INSPECTION PROGRAM;

**H.B. 444** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA HOUSING TRUST FUND;

**H.B. 541**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FULLY FUND THE GRASSROOTS SCIENCE MUSEUM COLLABORATIVE TO ENHANCE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

**H.B. 610**, A BILL TO BE ENTITLED AN ACT TO COMPENSATE COUNTIES FOR THE COSTS OF STATE RECREATION LANDS;

**H.B. 654**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTER FOR ENVIRONMENTAL FARMING SYSTEMS;

**H.B. 655**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE AGRONOMIC LABORATORY IN THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES;

**H.B. 721**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING AND DEVELOPMENT OF THE CAPE FEAR RIVER FRESHWATER AQUARIUM;

**H.B. 769** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE AGRICULTURAL FAIRS ADVISORY COUNCIL AND TO APPROPRIATE FUNDS FOR GRANTS FOR LOCAL AGRICULTURAL FAIRS;

**H.B. 951**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE EASTERN NORTH CAROLINA HERITAGE TOURISM INITIATIVE;

**H.B. 1158** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISPOSAL OF CORRUGATED CARDBOARD, CLEAN WOOD WASTE, AND WOODEN PALLETS IN LANDFILLS;

**H.B. 1288**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA BIOTECHNOLOGY CENTER;

**H.B. 1299**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FROM THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND THE NONCOMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND TO SUPPORT THE ADMINISTRATION OF THE PETROLEUM UNDERGROUND STORAGE TANK PROGRAM;

**H.B. 1345**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR THE COMMUNITY DEVELOPMENT INITIATIVE;

**H.B. 1346**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MINORITY SUPPORT CENTER;

**H.B. 1357**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY, INC.;

**H.B. 1360**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DATA COLLECTION, RESEARCH, INFORMATION MANAGEMENT, AND PUBLIC EDUCATION REGARDING THE CAPE FEAR RIVER BASIN;

**H.B. 1361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE SIGN DESIGNATING THE NORTH CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION;

**H.B. 1367**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA PHOTONICS CONSORTIUM;

**H.B. 1371**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ORGANIC CERTIFICATION COST-SHARING PROGRAM AND A GRANT-IN-AID TO THE CAROLINA FARM STEWARDSHIP ASSOCIATION;

**H.B. 1398**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LOWER CAPE FEAR RIVER PROGRAM;

**H.B. 1399**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WORLD TRADE CENTER NORTH CAROLINA TO SUPPORT INTERNATIONAL TRADE EDUCATION PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES IN THE STATE;

**H.B. 1401**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF INDIVIDUAL DEVELOPMENT ACCOUNTS; and

**H.B. 1404**, A BILL TO BE ENTITLED AN ACT TO FUND A POSITION IN THE BROWNFIELDS PROGRAM TO FACILITATE AND EXPEDITE THE CLEANUP AND REUSE OF CONTAMINATED AND ABANDONED PROPERTIES THROUGHOUT THE STATE OF NORTH CAROLINA.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on General Government:

**H.B. 40**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A NEW BLACKBEARD HISTORICAL MUSEUM IN THE TOWN OF BATH;

**H.B. 91**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR COMPLETION OF THE INFORMATION TECHNOLOGY EXPANSION PROJECT AND THE INFORMATION RESOURCE MANAGEMENT COMMISSION PROJECT CERTIFICATION;

**H.B. 94** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET UP A CUSTOMER SERVICE QUALITY ASSURANCE PROGRAM WITHIN THE STATE AUDITOR'S OFFICE, SO AS TO ENSURE THAT PERSONS RECEIVE QUALITY SERVICES FROM STATE AGENCIES;

**H.B. 165**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KIDS VOTING NORTH CAROLINA PROGRAM;

**H.B. 207**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECOVERY AND CONSERVATION OF ARTIFACTS FROM THE QUEEN ANNE'S REVENGE;

**H.B. 213**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PROGRAMS;

**H.B. 224**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECOVERY AND CONSERVATION OF ARTIFACTS FROM THE QUEEN ANNE'S REVENGE;

**H.B. 240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION CENTER AT THE CONTEMPORARY ART MUSEUM IN THE CITY OF RALEIGH;

**H.B. 388**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROBESON COUNTY AFRICAN-AMERICAN CULTURAL CENTER FOR ARCHITECTURAL DESIGN AND EXPANSION OF ITS CENTER;

**H.B. 428**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND;

**H.B. 459**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR TECHNOLOGY, EFFICIENCY, AND CUSTOMER SERVICE IMPROVEMENTS RECOMMENDED BY THE STATE AUDITOR'S PERFORMANCE AUDIT;

**H.B. 544**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CRAVEN COUNTY COUNCIL ON WOMEN FOR OPERATING EXPENSES;

**H.B. 763** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TRANSFERRING THE CHINQUA-PENN PLANTATION TO THE DEPARTMENT OF CULTURAL RESOURCES AND APPROPRIATING FUNDS TO PROMOTE, MANAGE, AND MAINTAIN THE CHINQUA-PENN PLANTATION;

**H.B. 978**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GRANTS TO REIMBURSE COUNTIES FOR CONDUCTING EARLY VOTING AT SATELLITE LOCATIONS;

**H.B. 981**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HUMANITIES COUNCIL;

**H.B. 1054**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE NORTH CAROLINA MILITARY AFFAIRS COUNCIL;

**H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FEDERAL AND STATE FUNDING TO REPLACE OUTDATED VOTING EQUIPMENT;

**H.B. 1112**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO SUPPORT THE NORTH CAROLINA ARTS COUNCIL;

**H.B. 1408**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE ALLOCATION TO EACH VETERANS AFFAIRS OFFICE IN THE STATE;

**H.B. 1382** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS; and

**S.B. 353** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Transportation:

**H.B. 43**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY THE NON-BETTERMENT COSTS OF UTILITY RELOCATIONS FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL STATUTES;

**H.B. 69** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL, WITH A THREE-YEAR PHASEOUT, THE ANNUAL TRANSFER OF ONE HUNDRED SEVENTY MILLION DOLLARS IN HIGHWAY USE TAX COLLECTIONS FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND AND TO PROVIDE THAT THOSE FUNDS SHALL BE USED BY THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE;

**H.B. 1273**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO OBTAIN PROOF OF ADDRESS ON APPLICATIONS;

**H.B. 1229**, A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE



GEOGRAPHICAL SOURCES OF MAINTENANCE FUNDS, TO PROVIDE FOR THE DISTRIBUTION OF MAINTENANCE FUNDS, AND TO REQUIRE INTERNET REPORTING OF ALL MAINTENANCE AND CONSTRUCTION EXPENDITURES; and

**H.B. 1245** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MALE RESIDENTS AGE EIGHTEEN THROUGH TWENTY-FIVE COMPLY WITH THE SELECTIVE SERVICE SYSTEM'S REGISTRATION REQUIREMENTS WHEN APPLYING FOR A DRIVERS LICENSE OR IDENTIFICATION CARD.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Information Technology:

**H.B. 414**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TECHNOLOGY IMPROVEMENTS FOR THE STANDARDS DIVISION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES;

**H.B. 1354**, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES TO FUND THE PORTION OF THE STATEWIDE NETWORK SUPPORTING DATA AND VIDEO SERVICES;

**H.B. 1394**, A BILL TO BE ENTITLED AN ACT ALLOWING FLEXIBILITY IN THE FUNDING OF INFORMATION TECHNOLOGY POSITIONS IN STATE GOVERNMENT; CREATING THE INFORMATION TECHNOLOGY EMPLOYEE RESERVE FUND; AND APPROPRIATING FUNDS TO THE RESERVE FUND; and

**H.B. 1393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND ACQUISITION OF TRAFFIC SIMULATION SOFTWARE.

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Capital:

**H.B. 22**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE JOHN A. WILKINSON HIGH SCHOOL BUILDING FOR USE AS A COMMUNITY CENTER IN THE TOWN OF BELHAVEN;

**H.B. 46**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE HISTORIC CAMDEN COUNTY COURTHOUSE;

**H.B. 70**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE SCOTLAND NECK MEMORIAL LIBRARY;

**H.B. 82**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STUDY THE FEASIBILITY OF ESTABLISHING A STATE MILITARY MUSEUM;

**H.B. 136**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A CHILDREN AND YOUTH PSYCHIATRIC FACILITY AT CHERRY HOSPITAL;

**H.B. 160**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE AND RENOVATE THE MATTHEWS COMMUNITY CENTER AND EXPAND ITS STAGE AREA;

**H.B. 197**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NET PROCEEDS FROM THE SALE OF TIMBER AT SAMARKAND YOUTH ACADEMY TO BE USED FOR CAPITAL IMPROVEMENTS AND REPAIRS AND RENOVATIONS AT THE ACADEMY;

**H.B. 206**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE NORTH CAROLINA AQUARIUM AT PINE KNOLL SHORES;

**H.B. 223**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE NORTH CAROLINA AQUARIUM AT PINE KNOLL SHORES;

**H.B. 292**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY;

**H.B. 295**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR A PLANT INDUSTRY DIVISION COMPLEX;

**H.B. 296**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MULTIPURPOSE BUILDING AT THE STATE FAIR-GROUNDS;

**H.B. 297**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR EXPANSION OF THE AGRONOMIC SERVICES LABORATORY;

**H.B. 298**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE GRAHAM BUILDING AT THE STATE FAIRGROUNDS;

**H.B. 299**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RENOVATION OF THE AGRICULTURE BUILDING;

**H.B. 365**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE RENNERT VOLUNTEER FIRE DEPARTMENT FOR PAVING NEEDS;

**H.B. 512**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE POPLAR COMMUNITY BUILDING IN MITCHELL COUNTY;

**H.B. 546**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT CLUB NOVA, A MENTAL HEALTH FACILITY IN THE TOWN OF CARRBORO;

**H.B. 574**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER;

**H.B. 580** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXTEND INFRASTRUCTURE TO INDUSTRIAL SITES IN WILSON COUNTY;

**H.B. 632**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF MAXTON WITH ITS DOWNTOWN REVITALIZATION PROGRAM;

**H.B. 653**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE KENLY TOBACCO FARM LIFE MUSEUM;

**H.B. 677**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR CONSTRUCTION OF PHASE II OF THE

CATTLE AND LIVESTOCK EXPOSITION CENTER IN IREDELL COUNTY;

**H.B. 690**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VETERANS MEMORIAL PAVILION IN THE TOWN OF BROADWAY;

**H.B. 691**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS OF THE MAIN BRANCH OF THE NEW HANOVER COUNTY PUBLIC LIBRARY;

**H.B. 693**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE NEW HANOVER COUNTY COMMUNITY ACTION'S FACILITY;

**H.B. 770**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF CERRO GORDO AS MATCHING FUNDS FOR A FEDERAL GRANT TO REMODEL THE TOWN HALL;

**H.B. 776**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING OF A PROPOSED CAPE FEAR RIVER AQUARIUM;

**H.B. 787**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE HISTORY EDUCATION AND VISITOR CENTER AT THE TRYON PALACE HISTORIC SITES AND GARDENS;

**H.B. 847**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO HARNETT COUNTY FOR DEVELOPMENT OF AN INDUSTRIAL SITE;

**H.B. 858**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO BUILD AND UP-FIT A NEW BUILDING FOR THE GET SMART PROGRAM;

**H.B. 952**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF THE WANCHESE MARINE INDUSTRIAL PARK IN TYRRELL COUNTY;

**H.B. 960**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AVERASBORO BATTLEFIELD COMMISSION;

**H.B. 961**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PERMIT-READY AN INDUSTRIAL PARK IN HARNETT COUNTY;

**H.B. 962**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF ERWIN TO DEVELOP A TEXTILE MUSEUM;

**H.B. 963**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REPAIR AND RENOVATE THE GENERAL WILLIAM C. LEE MUSEUM IN HARNETT COUNTY;

**H.B. 1000**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STEVENS FOUNDATION FOR DEVELOPMENTAL AND ENRICHMENT SERVICES FOR THE CONSTRUCTION OF A FACILITY TO SERVE PERSONS WHO ARE DEVELOPMENTALLY DISABLED;

**H.B. 1180**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT OF THE AMERICAN LEGION POST 139 FOR USE AS A COMMUNITY CENTER;

**H.B. 1221**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSES FOR WHICH FUNDS APPROPRIATED TO ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE MAY BE USED;

**H.B. 1353**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A LIVESTOCK FACILITY AT THE EASTERN NORTH CAROLINA LIVESTOCK ARENA SITE;

**H.B. 1364**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO CONSTRUCT AN EXPANSION OF THE SMALL DEALERS BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

**H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AFRICAN-AMERICAN CULTURAL CENTER IN THE CITY OF HICKORY;

**H.B. 1356**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CHILDREN'S MUSEUM IN WINSTON-SALEM;

**H.B. 1366**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ANIMAL DISCOVERY PROJECT AT THE NATURAL SCIENCE CENTER OF GREENSBORO;

**H.B. 1368**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MARTIN LUTHER KING, JR. RESOURCE CENTER OF NORTH CAROLINA;

**H.B. 1377**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF WILMINGTON FOR THE PURCHASE OF A FIREBOAT;

**H.B. 1400**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPITAL AND OPERATIONAL COSTS OF ESTABLISHING THE MOUNTAIN ISLAND EDUCATIONAL STATE FOREST TO BE LOCATED IN LINCOLN AND GASTON COUNTIES;

**H.B. 1414**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COUNTY OF RICHMOND FOR THE PURCHASE AND DEMOLITION OF THE IMPERIAL FOODS PLANT IN HAMLET, NORTH CAROLINA; and

**H.B. 1418**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CENTRAL CHILDREN'S HOME OF NORTH CAROLINA, INC.

The House stands adjourned at 7:35 p.m.

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## EIGHTIETH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, June 12, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving Lord, it is by Your grace that we are given life and by Your mercy that we are sustained in our existence. Infuse us within us the desire to make the most of the gift of this day. Show us opportunities to repair yesterday's wrongs and reconcile with those whom we have offended.

June 12, 2001

Reveal to us ways that we can relieve the suffering of others. Strengthen us to fulfill our obligations and persevere in our promises. Use us as ambassadors of Your care and compassion. Where a deed can enhance the life of another, move us to action. Where a kind word can bring cheer to another, move us to speak. Where a prayer can ease the burden of another, bring us to our knees. Make us good stewards of this day, O God. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Buchanan, Fox, Hunter, Morris, and Rayfield for today.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Owens and Fox, Chairs, for the Permanent Subcommittee on Natural and Economic Resources of the Standing Committee on Appropriations.

**H.B. 1361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE SIGN DESIGNATING THE NORTH CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION, reported to the Standing Committee on Appropriations with no action taken.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 11** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES TO THE ELECTION LAWS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 795** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 78B OF THE GENERAL STATUTES, THE TENDER OFFER DISCLOSURES ACT, AND TO AMEND CHAPTER 78A OF THE GENERAL STATUTES, THE NORTH CAROLINA SECURITIES ACT, AND TO CLARIFY THAT THE ACT APPLIES TO BUSINESS FORMS IN ADDITION TO CORPORATIONS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 13. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### **SUBCOMMITTEE REFERRAL**

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer **H.B. 635** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, to the Appropriations Subcommittee on Natural and Economic Resources.

### **2001 GENERAL ASSEMBLY FIRST SESSION**

### **SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 11, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 666**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE.

June 12, 2001



Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the Conference Report enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 11, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 774**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRIVACY OF BILLING INFORMATION OF CUSTOMERS OF PUBLIC ENTERPRISES, and requests conferees. The President Pro Tempore appoints:

Senator Rand, Chair  
Senator Hoyle  
Senator Hartsell

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker appoints Representatives Hackney, Blue, Hensley, and Arnold as conferees on the part of the House and the Senate is so notified by Special Message.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

June 12, 2001

**H.B. 3** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 13.

**H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 13.

**H.B. 377** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 13.

Senate Committee Substitute for **H.B. 722**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 13.

Upon concurrence, the Senate committee substitute bill changes the title.

### ENROLLED BILLS

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

June 12, 2001

**S.B. 666**, AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE.

**H.B. 910**, AN ACT AUTHORIZING THE CITY OF DURHAM AND THE TOWNS OF CARY, GARNER, MORRISVILLE, KNIGHTDALE, FUQUAY-VARINA, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 817**, AN ACT RELATING TO THE DEFINITION OF SUB-DIVISION IN RICHMOND COUNTY. (S.L. 2001-189)

### CALENDAR

Action is taken on the following:

**H.B. 1073** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN AUTOMATION ENHANCEMENT AND PRESERVATION FUND AND EXPAND THE UNIFORM FEES FOR SERVICES CHARGED BY REGISTERS OF DEEDS AND TO ENHANCE THE STANDARDS FOR INSTRUMENTS TO BE REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Davis, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Gibson, Gillespie, Goodwin, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Miller, Miner, Mitchell, Morgan, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders,

June 12, 2001

Sexton, Sherrill, Smith, Starnes, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 94.

Voting in the negative: Representatives Allred, Baker, Barnhart, Brubaker, Decker, Eddins, Fitch, Grady, Hiatt, Kiser, Setzer, Shubert, Teague, and West - 14.

Excused absences: Representatives Buchanan, Fox, Hunter, Morris, and Rayfield - 5.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 823** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY, is withdrawn from the Calendar and placed on the Calendar of June 14.

### CALENDAR (continued)

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE.

Representative Blust offers Amendment No. 1.

Representative Ellis offers perfecting Amendment No. 2.

On motion of the Chair, the bill is temporarily displaced.

The fiscal note having been attached, **S.B. 898** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENACT THE STUDENT CITIZEN ACT OF 2001, is before the Body with Amendment No. 10 pending.

Representative Luebke offers perfecting Amendment No. 12 which is adopted by electronic vote 102-8.

Amendment No. 10 fails of adoption by electronic vote (45-65).

Representative Ellis offers Amendment No. 13 which is adopted by electronic vote (94-13).

Representative Goodwin offers Amendment No. 14 which is adopted by electronic vote (58-53).

The bill, as amended, passes its third reading, by electronic vote (96-14) and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

**S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH NUISANCE, which was temporarily displaced with perfecting Amendment No. 2 pending, is before the Body.

Perfecting Amendment No. 2 is adopted by electronic vote (110-1).

Amendment No. 1 is adopted by electronic vote (111-0).

Representative Ellis offers Amendment No. 3 which is adopted by electronic vote (109-2).

The bill, as amended, passes its third reading, by electronic vote (93-19), and is ordered sent to the Senate for concurrence in House amendments.

**S.B. 573**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT NONRESIDENTS MAY PARTICIPATE IN THE PARENTAL SAVINGS TRUST FUND, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 714** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "AMBULATORY SURGICAL FACILITY" BY REDUCING THE NUMBER OF REQUIRED OPERATING ROOMS FROM TWO TO ONE AND TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICE" BY INCLUDING CONSTRUCTION, DEVELOPMENT, ESTABLISHMENT, INCREASE IN NUMBER, OR RELOCATION OF AN OPERATING ROOM OR OPERATING ROOMS AND TO EXTEND THE DETERMINATIVE

EFFECT OF THE STATE MEDICAL FACILITIES PLAN TO ALL OPERATING ROOMS AND TO REPEAL S.L. 2000-135, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**S.B. 811** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE PARENTS OR GUARDIANS OF STUDENTS WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL RECEIVE NOTICE THAT IS EASY TO UNDERSTAND, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1075** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL GIFT ACT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2, **H.B. 795**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A "CHOOSE LIFE" SPECIAL LICENSE PLATE, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Clary, the House adjourns at 4:35 p.m. to reconvene June 13 at 3:00 p.m.

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## **EIGHTY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 13, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"We confess, O God, that we have not lived up to the vision of justice and mercy You have set before us. We are perplexed by the confusion and complexity of the problems and issues facing our State. There are no easy answers, nor are there simplistic solutions. Yet, we do want to make a difference and create positive change. We desire to become more sensitive to the needs of those living with poverty and injustice. May this sensitivity to the needs of others begin with us, with our close relationships to family and friends. Restore relationships that are in need of Your grace and strengthen relationships that reveal Your love. Encourage us to be caring fathers, loving mothers, sensitive siblings, and compassionate friends. As we seek to change our State, help us to begin where we have the greatest influence - ourselves and our relationships. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Buchanan, Culp, Posposito, Morris, and Rayfield for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 123**, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR WATER AND SEWER PROJECTS.

**S.B. 468**, AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS AND NONRENEWALS.

**S.B. 573**, AN ACT TO CLARIFY THAT NONRESIDENTS MAY PARTICIPATE IN THE PARENTAL SAVINGS TRUST FUND.

**S.B. 714**, AN ACT TO AMEND THE DEFINITION OF "AMBULATORY SURGICAL FACILITY" BY REDUCING THE NUMBER OF REQUIRED OPERATING ROOMS FROM TWO TO ONE

AND TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICE" BY INCLUDING CONSTRUCTION, DEVELOPMENT, ESTABLISHMENT, INCREASE IN NUMBER, OR RELOCATION OF AN OPERATING ROOM OR OPERATING ROOMS AND TO EXTEND THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN TO ALL OPERATING ROOMS AND TO REPEAL S.L. 2000-135.

**S.B. 811**, AN ACT TO ENSURE THAT THE PARENTS OR GUARDIANS OF STUDENTS WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL RECEIVE NOTICE THAT IS EASY TO UNDERSTAND.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 666**, AN ACT AUTHORIZING THE CITY OF MONROE TO ACQUIRE CERTAIN PROPERTY AND TO CONVEY THE PROPERTY TO UNION COUNTY FOR THE PURPOSE OF CONSTRUCTING A COURTHOUSE THEREON AND TO AUTHORIZE THE CITY OF BURLINGTON TO CONVEY DESCRIBED PROPERTY BY PRIVATE SALE.. (S.L. 2001-190)

**H.B. 910**, AN ACT AUTHORIZING THE CITY OF DURHAM AND THE TOWNS OF CARY, GARNER, MORRISVILLE, KNIGHTDALE, FUQUAY-VARINA, AND SPENCER TO LIMIT THE CLEAR-CUTTING OF TREES IN BUFFER ZONES PRIOR TO DEVELOPMENT AND ALLOW FOR THE PROTECTION OF SPECIMEN TREES DURING THE DEVELOPMENT PROCESS. (S.L. 2001-191)

**S.B. 825**, AN ACT TO EXEMPT FROM THE CONTESTED CASE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT CONTRACT DISPUTES BETWEEN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN AND ENTITIES UNDER CONTRACT WITH THE PLAN; AND TO CLARIFY THAT A STATE AGENCY MAY SEEK RELIEF UNDER THE DECLARATORY JUDGMENT ACT. (S.L. 2001-192)

**H.B. 803**, AN ACT TO TRANSFER THE SAVINGS INSTITUTIONS DIVISION TO THE STATE BANKING COMMISSIONER; TO AUTHORIZE ADDITIONAL DEPUTY COMMISSIONERS; TO MERGE THE SAVINGS INSTITUTIONS COMMISSION WITH THE STATE



BANKING COMMISSION; TO REQUIRE THE COMMISSIONER TO REPORT TO THE GENERAL ASSEMBLY; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTES. (S.L. 2001-193)

### WITHDRAWAL OF BILL FROM CALENDAR

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 879** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE SOME BUDGET FLEXIBILITY TO THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Appropriations.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, with approval of standing committee chairs for report to be made directly to the floor of the House:

**H.R. 1457**, A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 14.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 9**, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS TO THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY AND THE CITIES OF CHARLOTTE AND CONCORD TO EXPEND FUNDS ON ROADS OUTSIDE THE

CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 14.

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 681** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 746** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Jeffus and Sherrill, Chairs, for the Permanent Subcommittee on General Government.

**H.B. 40**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A NEW BLACKBEARD HISTORICAL MUSEUM IN THE TOWN OF BATH, reported to the Standing Committee on Appropriations, with recommendation that the bill be re-referred to Subcommittee on Capitol.

**H.B. 240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION CENTER AT THE CONTEMPORARY ART MUSEUM IN THE CITY OF RALEIGH, reported to the Standing

Committee on Appropriations, with recommendation that the bill be re-referred to Subcommittee on Capitol.

**H.B. 388**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROBESON COUNTY AFRICAN-AMERICAN CULTURAL CENTER FOR ARCHITECTURAL DESIGN AND EXPANSION OF ITS CENTER, reported to the Standing Committee on Appropriations, with recommendation that the bill be re-referred to Subcommittee on Capitol.

### CALENDAR

Action is taken on the following:

On motion of the Chair, **S.B. 795** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 78B OF THE GENERAL STATUTES, THE TENDER OFFER DISCLOSURES ACT; TO AMEND CHAPTER 78A OF THE GENERAL STATUTES, THE NORTH CAROLINA SECURITIES ACT; AND TO AMEND CHAPTER 55 OF THE GENERAL STATUTES, THE NORTH CAROLINA BUSINESS CORPORATION ACT, is moved up on today's Calendar.

Representative Pope requests that he be excused from voting on this bill, because he owns stock in a company that may directly and immediately benefit from the proposed change in the law, under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

### SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

**S.J.R. 585**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF COBLE FUNDERBURK, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY.

On motion of Representative Culpepper and without objection, Rule 41(a) is suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### **CALENDAR (continued)**

**H.B. 3** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS.

On motion of Representative Owens, the House concurs in the Senate committee substitute bill, by electronic vote (111-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 357** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill, by electronic vote (113-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 377** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, by electronic vote (114-0), and the bill is ordered enrolled and presented to the Governor.

**H.B. 722** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO

PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE.

On motion of Representative Cox, the House does not concur in the Senate committee substitute bill, by electronic vote (113-1), and conferees are requested. The Senate is so notified by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT.

Representative McComas offers Amendment No. 1 which is adopted by electronic vote (94-18).

The bill, as amended, passes its second reading by electronic vote (68-41).

Representative Blust objects to the third reading. The bill remains on the Calendar.

**H.B. 1073** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CREATE AN AUTOMATION ENHANCEMENT AND PRESERVATION FUND AND EXPAND THE UNIFORM FEES FOR SERVICES CHARGED BY REGISTERS OF DEEDS AND TO ENHANCE THE STANDARDS FOR INSTRUMENTS TO BE REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (109-1).

Representative Allred requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (110-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Capps, Carpenter, Church, Clary, Coates, Cox, M. Crawford, Culpepper, Cunningham, Daughtry, Davis, Dedmon,

Dockham, Earle, Easterling, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Baker, Barnhart, Brubaker, Decker, Eddins, Fitch, Kiser, and Setzer - 9.

Excused absences: Representatives Buchanan, Culp, Esposito, Morris, and Rayfield - 5.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Alexander and without objection, **S.B. 11** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FILLING VACANCIES IN NOMINATION FOR THE NATIONAL TICKET AND FOR PRESIDENTIAL ELECTOR; TO EXPAND THE NOTICE REQUIREMENT FOR PRECINCT CHANGES; TO CLARIFY THE RIGHT OF MILITARY/OVERSEAS VOTERS TO REGISTER AND VOTE ON ELECTION DAY; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FOLLOW THE DIRECTION OF THE STATE BOARD OF ELECTIONS IN PRINTING ABSENTEE BALLOTS DURING AND AFTER THE PENDENCY OF APPEALS; TO REPEAL A COURT-DISAPPROVED PROVISION OF THE AD-LABELING LAW; TO TOLL THE VERIFICATION OF MUNICIPAL INCORPORATION PETITIONS DURING A PERIOD AROUND A PRIMARY OR ELECTION AND TO MAKE OTHER CHANGES TO THE INCORPORATION PETITION STATUTE; TO MAKE TECHNICAL CHANGES TO THE MANDATORY RECOUNT STATUTES; TO REQUIRE PRIVACY FOR THE VOTER TO MARK THE BALLOT; AND TO STOP THE DAILY CAMPAIGN FINANCE PENALTY AFTER THE POSTMARK DATE SO AS TO ELIMINATE EXCESS POSTAGE COSTS, is withdrawn from the Calendar and re-referred to the Committee on Election Law and Campaign Finance Reform.

### **CALENDAR (continued)**

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN

THEIR EXTRATERRITORIAL JURISDICTION, passes its second reading by electronic vote (98-8).

Representative M. Crawford requests and is granted permission to be recorded as voting "no". The adjusted vote total is (98-9).

Representative Blue objects to the third reading. The bill remains on the Calendar.

### **SUBCOMMITTEE REFERRALS**

Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Standing Committee on Appropriations, refer the following bills to the Appropriations Subcommittee on Capital:

**H.B. 40**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A NEW BLACKBEARD HISTORICAL MUSEUM IN THE TOWN OF BATH;

**H.B. 240**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EDUCATION CENTER AT THE CONTEMPORARY ART MUSEUM IN THE CITY OF RALEIGH;

**H.B. 388**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROBESON COUNTY AFRICAN-AMERICAN CULTURAL CENTER FOR ARCHITECTURAL DESIGN AND EXPANSION OF ITS CENTER; and

**H.B. 1361**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE SIGN DESIGNATING THE NORTH CAROLINA ABC COMMISSION COMPLEX TO ITS ORIGINAL DESIGNATION.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 429**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL

GOVERNMENTS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 14.

Upon concurrence, the Senate committee substitute bill changes the title.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1386**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE SALARIES OF COMMUNITY COLLEGE FACULTY MEMBERS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Howard, the House adjourns at 5:10 p.m. to reconvene June 14 at 12:00 Noon.

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## EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 14, 2001

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Nurturing God, it is in the light of Your love that our souls truly flower. It is in the warm embrace of Your presence that authentic peace and genuine serenity is found. Your guiding hand is always upon us leading us along the path of Your will. Forgive us for not taking enough time to be with You, to rest in Your grace-filled arms, to seek Your direction. Teach us to suspend our constant activity and find respite in Your presence. Remind us that our worth in Your eyes comes not in our accomplishments, but simply in our being Your children. Grant us ears to hear Your Spirit's



whispers that we are forgiven, we are accepted, we are Your beloved. And in the strength of that life-giving affirmation, may we go forth to share similar affirmations with those whom we meet. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Capps, Edwards, Esposito, Haire, Miner, Morris, Rayfield, and Sexton for today. Representative McMahan is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 719**, AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY.

**H.B. 3**, AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS.

**H.B. 357**, AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE.

**H.B. 377**, AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT.

**H.B. 573**, AN ACT TO ELIMINATE THE REQUIREMENT FOR NOTARIZATION OF CAMPAIGN REPORTS.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 585**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF COBLE FUNDERBURK, A FORMER MEMBER OF THE NORTH CAROLINA GENERAL ASSEMBLY. (RESOLUTION 2001-19)

The following bill is duly ratified and presented to the Governor:

**S.B. 795**, AN ACT TO REPEAL CHAPTER 78B OF THE GENERAL STATUTES, THE TENDER OFFER DISCLOSURES ACT; TO AMEND CHAPTER 78A OF THE GENERAL STATUTES, THE NORTH CAROLINA SECURITIES ACT; AND TO AMEND CHAPTER 55 OF THE GENERAL STATUTES, THE NORTH CAROLINA BUSINESS CORPORATION ACT.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Boyd-McIntyre, Rogers, and Yongue, Chairs, for the Permanent Subcommittee on Education:

**H.B. 805**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PSYCHIATRY AT THE UNC SCHOOL OF MEDICINE FOR INPATIENT TREATMENT OF INDIGENT PATIENTS IN ORANGE, PERSON, AND CHATHAM COUNTIES, reported to the Standing Committee on Appropriations with no action taken.

**H.B. 863**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL GROWTH AT SOUTH PIEDMONT COMMUNITY COLLEGE, reported to the Standing Committee on Appropriations with no action taken.

By Representatives Tolson and Tucker, Chairs, for the Permanent Subcommittee on Information Technology:

**H.B. 1393**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND ACQUISITION OF TRAFFIC SIMULATION SOFTWARE, reported to the Standing Committee on Appropriations with no action taken.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 535** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 600** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WITHIN THE SANITARY DISTRICT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 668** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 13, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 68** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT POWERS OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES FOR THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION****SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 12, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT TO REFUSE TO INDEX, DOCKET, OR RECORD FRAUDULENT CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING FALSE STATUTORY LIENS.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

June 14, 2001

**MESSAGE FROM THE SENATE**

The following is received from the Senate:

**H.B. 998** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**CALENDAR**

Action is taken on the following:

**H.R. 1457**, A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES.

The resolution is adopted, by electronic vote (104-0), and ordered printed.

Senate Committee Substitute for **H.B. 429**, A BILL TO BE ENTITLED AN ACT TO TRANSFER FROM THE STATE AUDITOR TO THE LOCAL GOVERNMENT COMMISSION THE RESPONSIBILITY FOR APPROVING COMPLIANCE SUPPLEMENTS FOR AUDITS OF LOCAL GOVERNMENTS.

On motion of Representative Culpepper, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-2), and the bill is ordered enrolled and presented to the Governor by Special Message.

**S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT.

Representative McComas offers Amendment No. 2 which is adopted by electronic vote (103-1). This amendment changes the bill from local to public.

Representative Barnhart offers Amendment No. 3.

On motion of the Chair, the bill is temporarily displaced.

**S.B. 614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY AND THE CITIES OF CHARLOTTE AND CONCORD TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION.

On motion of Representative Weiss and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 18.

**S.B. 823** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY.

Representative Daughtry requests that he be excused from voting on this bill, because he owns stock in a wine distributing company, under Rule 24.1A and this request is granted.

The Speaker stops debate and attends to the following business.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**H.B. 429**, AN ACT TO CLARIFY THE APPLICABILITY OF SENATE BILL 25.

### **CALENDAR (continued)**

**S.B. 823** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Carpenter, Church, Clary, Coates, Cole, Cox, M. Crawford, Creech, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Ellis, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Nesbitt, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Setzer, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 94.

Voting in the negative: Representatives Davis, Decker, Eddins, Gillespie, Hiatt, Hilton, Kiser, Nye, Starnes, and West - 10.

Excused absences: Representatives Capps, Edwards, Esposito, Haire, Miner, Morris, Rayfield, and Sexton - 8.

Excused vote: Representative Daughtry.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Saunders and without objection, **S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION, is withdrawn from the Calendar and placed on the Calendar of June 19.

### **CALENDAR (continued)**

**S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, which was temporarily displaced with Amendment No. 3 pending, is before the Body.

Amendment No. 3 is adopted by electronic vote (101-2).

The bill, as amended, passes its third reading, by electronic vote (71-35), and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 3.

Representative Nesbitt requests and is granted permission to change his vote from "aye" to "no". The adjusted vote total is (70-36).

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 14, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute to **S.B. 68** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT POWERS OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT COMMITTEE, AND TO MAKE CONFORMING CHANGES FOR THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, and requests conferees. The President Pro Tempore appoints:

Senator Jordan, Chair  
Senator Ballance  
Senator Bingham

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

June 14, 2001



The Speaker appoints Representative Baddour, Chair; Representatives Culpepper and Sherrill, as conferees on the part of the House, and the Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Alexander, the House adjourns at 12:55 p.m. to reconvene Monday, June 18, 2001, at 7:00 p.m.

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## **EIGHTY-THIRD DAY**

HOUSE OF REPRESENTATIVES  
Monday, June 18, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"God of grace, we again gather to fulfill the awesome task of shaping the future of our State. With a clarion call, challenge us to rise above the ordinariness of our existence and accept the extraordinary commission to walk with You and serve Your kingdom. Certainly there is deep satisfaction and fulfillment in looking beyond ourselves and serving You. To do Your will is to know that our lives have been given for something lasting and eternal. What a privilege You offer us at this time, to be a part of Your healing, Your changing, Your redemption of situations of suffering and oppression. Grant us, O God, a vision that what we do has significance not only for the immediate needs of our State, but for Your ongoing mission in the world. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Cole, Dockham, Esposito, Hiatt, Hill, Hunter, McAllister, Miner, Nesbitt, Russell, Thompson, Wainwright, and Wright for today.

**THE RECEIVING OF PETITIONS, MEMORIALS AND  
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO  
THE HOUSE**

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

20301 Mail Service Center Raleigh, NC 27699-0301

Michael F. Easley  
Governor

June 14, 2001

The Honorable James Black  
Speaker of the House  
North Carolina General Assembly  
2304 Legislative Building  
Raleigh, NC 27601

Dear Speaker Black:

Pursuant to General Statute § 143B-426.37, I hereby appoint Mr. Robert L. Powell to serve as State Controller of the Office of the State Controller and submit his name for confirmation by the North Carolina General Assembly. His term shall begin July 1, 2001 and will expire June 30, 2008.

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

With kindest regards, I remain.

Very truly yours,  
S/ Michael F. Easley  
*Governor*

The Speaker refers the letter to the Committee on State Government.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

June 18, 2001

**S.B. 1075**, AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL GIFT ACT.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 78**, AN ACT TO PROVIDE THAT GRANDPARENTS MAY ACT AS SUPERVISING DRIVERS FOR DRIVERS HOLDING LIMITED LEARNER'S PERMITS. (S.L. 2001-194)

**H.B. 620**, AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR EXPULSION FROM SCHOOL. (S.L. 2001-195)

**H.B. 114**, AN ACT TO DESIGNATE U.S. HIGHWAY 70 IN NORTH CAROLINA AS THE "BLUE STAR MEMORIAL AND AMERICAN EX-PRISONERS OF WAR HIGHWAY". (S.L. 2001-196)

**S.B. 277**, AN ACT TO CLARIFY THAT THE EXEMPTION FOR THE OFFER AND SALE OF STOCK IS ALLOWED ONLY FOR CORPORATIONS THAT ARE ORGANIZED AND THAT OPERATE TO CONFER A PUBLIC BENEFIT. (S.L. 2001-197)

**H.B. 1341**, AN ACT AMENDING THE LAWS RELATING TO AUCTIONS AND AUCTIONEERS AND AUTHORIZING THE NORTH CAROLINA AUCTIONEERS COMMISSION TO ADOPT RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS, TO ACQUIRE REAL PROPERTY, AND TO PURCHASE EQUIPMENT AND LIABILITY INSURANCE. (S.L. 2001-198)

**S.B. 7**, AN ACT TO ADD TWO MEMBERS WHO ARE JUVENILES TO THE JUVENILE LOCAL CRIME PREVENTION COUNCILS AND TO THE STATE ADVISORY COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION, AND BY ADDING THE ATTORNEY GENERAL TO THE STATE ADVISORY COUNCIL. (S.L. 2001-199)

**S.B. 397**, AN ACT TO AUTHORIZE CREDIT TO MISDEMEANANTS IN LOCAL CONFINEMENT FACILITIES FOR ATTENDING GED CLASSES AND OTHER PROGRAMS. (S.L. 2001-200)

**S.B. 795**, AN ACT TO REPEAL CHAPTER 78B OF THE GENERAL STATUTES, THE TENDER OFFER DISCLOSURES ACT; TO AMEND CHAPTER 78A OF THE GENERAL STATUTES, THE NORTH CAROLINA SECURITIES ACT; AND TO AMEND CHAPTER 55 OF THE GENERAL STATUTES, THE NORTH CAROLINA BUSINESS CORPORATION ACT. (S.L. 2001-201)

**H.B. 429**, AN ACT TO CLARIFY THE APPLICABILITY OF SENATE BILL 25. (S.L. 2001-202)

**S.B. 318**, AN ACT TO REVISE THE LAWS ON LICENSING OF INSURANCE AGENTS AND BROKERS TO MAKE THEM CONFORM TO A MODEL UNIFORM INSURANCE PRODUCER LICENSING ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AND THEREBY, ALONG WITH THE OTHER STATES, ACHIEVE NATIONAL UNIFORMITY IN LICENSING INSURANCE PRODUCERS, AS PROVIDED BY THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102. (S.L. 2001-203)

**S.B. 299**, AN ACT TO PROVIDE THAT PICKUP FIREFIGHTERS OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, ARE ELIGIBLE FOR COMPENSATION UNDER THE WORKERS' COMPENSATION ACT. (S.L. 2001-204)

**S.B. 967**, AN ACT TO MAKE TECHNICAL AND ADMINISTRATIVE CHANGES TO THE MOTOR FUELS TAX LAW. (S.L. 2001-205)

**S.B. 1056**, AN ACT TO AMEND THE APPLICABILITY OF THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT TO HOUSING AUTHORITIES UNDER CHAPTER 157 OF THE GENERAL STATUTES. (S.L. 2001-206)

**H.B. 344**, AN ACT RELATING TO THE ANNUAL FILING OF WAGE REPORTS BY DOMESTIC SERVICE EMPLOYERS AND TO THE LATE FILING AND PAYMENT PENALTIES UNDER THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA. (S.L. 2001-207)

**H.B. 375**, AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD WELFARE. (S.L. 2001-208)

**H.B. 387**, AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES FOR DEVELOPMENTALLY DISABLED ADULTS. (S.L. 2001-209)

**H.B. 453**, AN ACT TO PROVIDE FOR THE REGULATION OF EMERGENCY MEDICAL SERVICES. (S.L. 2001-210)

**H.B. 938**, AN ACT TO PERMIT COMMUNITY COLLEGES TO GRANT SECURITY INTERESTS TO FEDERAL AGENCIES. (S.L. 2001-211)

**S.B. 91**, AN ACT TO AUTHORIZE THE ISSUANCE OF ADDITIONAL DEALER PLATES TO BUSINESSES ENGAGED IN THE ALTERATION AND SALE OF SPECIALTY VEHICLES. (S.L. 2001-212)

**S.B. 202**, AN ACT TO AMEND THE PROCESS BY WHICH FISHERY MANAGEMENT PLANS ARE REVISED, TO REPEAL THE SUNSETS ON THE LICENSING PROVISIONS OF THE FISHERIES REFORM ACT OF 1997 AND THE MARINE FISHERIES AMENDMENTS OF 1998, TO EXTEND THE MORATORIUM ON ISSUING NEW SHELLFISH LEASES IN CORE SOUND, AND TO STAGGER THE TERMS OF THE MEMBERS OF THE MARINE FISHERIES COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE. (S.L. 2001-213)

**S.B. 300**, AN ACT TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION. (S.L. 2001-214)

**H.B. 350**, AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO SHARE WITH THE FEDERAL AND STATE FINANCIAL INSTITUTION REGULATORS INFORMATION ABOUT INSURANCE COMPANIES THAT ARE AFFILIATES OF DEPOSITORY INSTITUTIONS OR OF FINANCIAL HOLDING COMPANIES; TO AMEND THE INSURANCE HOLDING COMPANY ACT AND AN INSURANCE COMPANY INVESTMENT STATUTE TO COMPLY WITH FEDERAL LAW, IN ACCORDANCE WITH THE FEDERAL GRAMM-LEACH-BLILEY ACT, PUBLIC LAW 106-102. (S.L. 2001-215)

**H.B. 1045**, AN ACT TO RESTORE STABILITY UNDER THE WORKERS' COMPENSATION ACT BY OVERTURNING THE CASE DECIDED BY THE 2000 COURT OF APPEALS OF NORTH CAROLINA ENTITLED HANSEN V. CRYSTAL FORD-MERCURY, INC., BY PROVIDING THAT INSURERS THAT PROVIDE HEALTH BENEFIT

PLANS, DISABILITY INCOME PLANS, OR ANY OTHER HEALTH INSURANCE ARE NOT REAL PARTIES IN INTEREST IN ANY PROCEEDING OR SETTLEMENT UNDER THE WORKERS' COMPENSATION ACT AND PROHIBITING INSURERS THAT PROVIDE HEALTH BENEFIT PLANS FROM OFFSETTING AGAINST PROVIDER REIMBURSEMENT ANY CHARGE FOR MEDICAL SERVICES UNLESS THE SPECIFIC MEDICAL CHARGES WERE FOUND TO BE COMPENSABLE ACCORDING TO A FINAL ADJUDICATION UNDER THE WORKERS' COMPENSATION ACT OR A SETTLEMENT AGREEMENT UNDER THE ACT APPROVED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION. (S.L. 2001-216)

**S.B. 854**, AN ACT TO CODIFY THE JOINT RESOLUTION ACCEPTING PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE, TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, TO CODIFY THESE REMOVALS, TO DELETE CERTAIN LANDS FROM THE STATE PARKS SYSTEM, AND TO PROVIDE THAT A TECHNICAL AMENDMENT TO THE STATE CONSTITUTION RELATING TO ACCEPTANCE AND DEDICATION OF PROPERTY INTO THE STATE NATURE AND HISTORIC PRESERVE SHALL BE SUBMITTED TO A VOTE OF THE PEOPLE AT THE NEXT STATEWIDE PRIMARY ELECTION. (S.L. 2001-217)

**S.B. 829**, AN ACT TO CLARIFY TREATMENT OF CERTAIN SECURITY INTERESTS CREATED BY THE STATE OR GOVERNMENTAL UNITS OF THE STATE UNDER ARTICLE 9 OF THE NORTH CAROLINA UNIFORM COMMERCIAL CODE. (S.L. 2001-218)

**S.B. 342**, AN ACT AUTHORIZING COUNTIES TO ADOPT ORDINANCES REGARDING THE NUMBER OF TOILETS TO BE PLACED IN CERTAIN BUILDINGS. (S.L. 2001-219)

**H.B. 452**, AN ACT TO REVISE AND UPDATE THE EMERGENCY MEDICAL SERVICES ACT OF 1973. (S.L. 2001-220)

**H.B. 235**, AN ACT TO ALLOW SANITARY DISTRICTS TO ENTER INTO AGREEMENTS WITH OTHER MUNICIPAL CORPORATIONS OR SANITARY DISTRICTS FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING AN ECONOMIC DEVELOPMENT PLAN. (S.L. 2001-221)

**S.B. 801**, AN ACT TO STREAMLINE THE FIREMEN REPORTING REQUIREMENTS. (S.L. 2001-222)

**S.B. 459**, AN ACT TO AMEND NORTH CAROLINA'S INSURANCE LAWS CONCERNING INSURANCE COMPANY RESERVING METHODS, LICENSING PROVISIONS, REINSURANCE FOR DOMESTIC COMPANIES, DOMESTIC COMPANY FORMATION, SOLVENCY PROTECTION, LIFE INSURANCE COMPANY VARIABLE ACCOUNTS, CONSOLIDATIONS, INVESTMENTS, MUTUAL INSURANCE COMPANIES, REINSURANCE INTERMEDIARIES, MORTGAGE GUARANTY INSURANCE, RISK-BASED CAPITAL REQUIREMENTS, ASSET PROTECTION, FOREIGN INSURANCE COMPANIES, PROMOTING AND HOLDING COMPANIES, HOLDING COMPANY SYSTEMS, SURPLUS LINES INSURANCE, RISK RETENTION GROUPS, INSURANCE COMPANY RECEIVERSHIPS, MANAGING GENERAL AGENTS, SELF-INSURED WORKERS' COMPENSATION, AND CONTINUING CARE RETIREMENT COMMUNITIES; AND TO ALLOW NORTH CAROLINA DOMESTIC INSURANCE COMPANIES TO FORM PROTECTED CELLS TO ACCESS ALTERNATIVE SOURCES OF CAPITAL AND ACHIEVE THE BENEFITS OF SECURITIZATION. (S.L. 2001-223)

**S.B. 432**, AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS AND THE STATE OF NORTH CAROLINA TO JOIN CERTAIN WATER AND SEWER AUTHORITIES AND CONCERNING THE RIGHT OF SUBSEQUENTLY JOINING MUNICIPALITIES TO HAVE VOTING MEMBERSHIP. (S.L. 2001-224)

**S.B. 275**, AN ACT TO PROVIDE A LIMITED REGISTRATION PROCEDURE FOR CANADIAN SECURITIES DEALERS AND SALESMEN. (S.L. 2001-225)

**S.B. 220**, AN ACT TO AMEND THE LAW DEFINING THE TIME STOCK AND OTHER EQUITY INTERESTS IN BUSINESS ASSOCIATIONS ARE PRESUMED ABANDONED FOR PURPOSES OF THE NORTH CAROLINA UNCLAIMED PROPERTY ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2001-226)

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 644**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC TOLL ROADS AND BRIDGES IN NORTH CAROLINA AND THE CREATION OF A TURNPIKE AUTHORITY, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 395** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**S.B. 1014** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAWS, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 19. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

June 18, 2001



Senate Committee Substitute for **H.B. 689**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of June 19.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 1246** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

## CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 998** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED.

On motion of Representative Pope, the House concurs in the Senate committee substitute bill, by electronic vote (96-0), and the bill is ordered enrolled and presented to the Governor.

Representative Sherrill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (97-0).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 668** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Rayfield, Rogers, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 96.

Voting in the negative: None.

Excused absences: Representatives Arnold, Cole, Dockham, Esposito, Hiatt, Hill, Hunter, McAllister, Miner, Nesbitt, Redwine, Russell, Thompson, Wainwright, and Wright - 15.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 535** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY AND THE CITIES OF CHARLOTTE AND

CONCORD TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (97-1). This amendment changes the title.

The bill, as amended, passes its second reading. The caption having been amended, the bill remains on the Calendar.

**S.B. 823** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY.

Pursuant to Rule 24.1A(c), the request that Representative Daughtry be excused from voting on June 14 is continued.

Representative Fox offers Amendment No. 1 which is adopted by electronic vote (99-0).

Representative Gray offers Amendment No. 2 which is adopted by electronic vote (93-7).

On motion of Representative Fox and without objection, the bill, as amended, is withdrawn from the Calendar and placed on the Calendar of June 19.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WITHIN THE SANITARY DISTRICT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Coates, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Earle, Easterling, Eddins, Ellis, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hilton, Holliman, Holmes, Howard,

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Hurley, Insko, Jarrell, Johnson, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Rogers, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, and Yongue - 95.

Voting in the negative: Representatives Baker and Creech - 2.

Excused absences: Representatives Arnold, Cole, Dockham, Esposito, Hiatt, Hill, Hunter, McAllister, Miner, Nesbitt, Redwine, Russell, Thompson, Wainwright, and Wright - 15.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 600** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES, is withdrawn from the Calendar and placed on the Calendar of June 19.

### **INTRODUCTION OF PAGES**

Pages for the week of June 18 are introduced to the membership. They are: Ashley Bass of Cumberland; William Benjamin, Jr., of Guilford; Morgan Bowling of Jackson; Karlie Briggs of Wake; Lindsay Creech of Cumberland; Drew Eglinton of Craven; Sara Ely of Alamance; Lauren Ferguson of Mecklenburg; Jessica Fox of Rockingham; Katherine Franklin of Burke; Ashley Ganoë of Guilford; Erica Griesedieck of Washington, Laura Hartsell of Rowan; Morgan Jethro of Chowan; Colin Kelly of Lee; Bianca Kemp of Guilford; Virginia Claire Martin of Lee; Brandi McCarn of Davidson; Eric McCombs of Wake; Brittany Runion of Avery; Renee Sexton of Rockingham; Amber Story of Pitt; Megan Varsamis of Guilford; Aaron Walton of Gates; and Andrew Williamson of Chatham.

Representative Culpepper moves, seconded by Representative Bowie that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 19 at 3:00 p.m.

The motion carries.

## **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from permanent subcommittee is presented:

By Representatives Jeffus and Sherrill, Chairs, for the Permanent Subcommittee on General Government of the Standing Committee on Appropriations, with approval of standing committee chairs for report to be made directly to the floor of the House:

**S.B. 353** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 19. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The House stands adjourned at 7:53 p.m.

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## **EIGHTY-FOURTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, June 19, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Creating God, when nothing existed but chaos, You breathed upon the waters and brought forth life. Come now, brood over our work and bring forth decisions that will enhance life. When our spirits sink because of the difficulty of the choices we must make, remind us of Your presence and guidance, that we might be lifted up as on wings of eagles. When our hearts grow hard and set in their ways, send Your Spirit to grant new visions and greater receptivity. When our lives become cold and closed, offer Your grace to warm our hearts and open our lives. Continue Your acts of

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creation in us and through us, that new possibilities and better futures might come forth. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Esposito for today.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 998**, AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 636**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ELIZABETH CITY AND TO REPEAL PRIOR LOCAL ACTS.

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 532** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, AND TO REQUIRE NOTICE OF THE DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF NONCERTIFIED EMPLOYEES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar of June 20. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**H.B. 1284** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION THAT COURT RECORDS FOR CIVIL AND ADMINISTRATIVE CASES ARE OPEN, TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO SEAL A COURT RECORD, TO ESTABLISH A PRESUMPTION THAT THE HEARINGS, PROCEEDINGS, AND TRIALS FOR CIVIL AND ADMINISTRATIVE CASES ARE OPEN, AND TO PROVIDE THE PROCEDURE TO OBTAIN AN ORDER TO CONDUCT A CLOSED HEARING, PROCEEDING, OR TRIAL, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1, and recommendation that Committee Substitute Bill No. 2 be re-referred to the Committee on Finance.

Committee Substitute Bill No. 2 is re-referred to the Committee on Finance. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Dockham and Hurley, Chairs, for the Committee on Insurance:

**H.B. 359**, A BILL TO BE ENTITLED AN ACT TO REVISE NORTH CAROLINA'S LAW REGULATING VIATICAL SETTLEMENTS IN ACCORDANCE WITH A MODEL ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT TRUST BUSINESS ON AN INTERSTATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD OF DIRECTORS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 232**, A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE FOR CALENDAR YEAR 2001, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 20. The original bill is placed on the Unfavorable Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 18, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 912** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CLERK OF SUPERIOR COURT TO REFUSE TO INDEX, DOCKET, OR RECORD FRAUDULENT CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING FALSE STATUTORY LIENS and request conferees. The President Pro Tempore appoints:

Senator Rand, Chair  
Senator Clodfelter  
Senator Soles  
Senator Ballantine

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**CONFEREES APPOINTED**

The Speaker announces the following conferees on **H.B. 722** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE

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THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE: Representative Cox, Chair; Representatives McLawhorn, Tucker, and Weatherly.

The Senate is so notified by Special Message.

### CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 689**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS.

On motion of Representative Haire, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (115-0), and the bill is ordered enrolled and presented to the Governor.

Representative Ellis states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (116-0).

**S.B. 668** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Guley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner,

Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absence: Representative Esposito.

**S.B. 614**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CARY AND THE CITIES OF CHARLOTTE AND CONCORD TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION.

The bill, as amended, passes its third reading, by electronic vote (114-3), and is ordered sent to the Senate for concurrence in House amendment.

**H.B. 236** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WITHIN THE SANITARY DISTRICT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick,

Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 115.

Voting in the negative: Representatives Baker, Creech, and Davis - 3.

Excused absence: Representative Esposito.

**S.B. 823** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY.

Pursuant to Rule 24.1A(c), the request that Representative Daughtry be excused from voting on June 14 is continued.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 107.

Voting in the negative: Representatives Capps, Carpenter, Davis, Decker, Eddins, Gillespie, Hiatt, Hilton, Shubert, and Starnes - 10.

Excused absence: Representative Esposito.

Excused vote: Representative Daughtry.

**S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS.

On motion of Representative Allen and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 20.

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION.

Representative Blue offers Amendment No. 1.

On motion of the Chair and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 9**, A BILL TO BE ENTITLED AN ACT TO APPOINT MEMBERS TO THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION.

Representative Saunders offers Amendment No. 1 which is adopted by electronic vote (118-0).

The bill, as amended, passes its second reading, by electronic vote (117-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Cole and without objection, **S.B. 600** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES, is withdrawn from the Calendar and placed on the Calendar of June 20.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 681** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW

GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 746** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, AND TO MAKE CONFORMING CHANGES.

On motion of the Chair, the bill is temporarily displaced.

**S.B. 1014** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAWS.

Representative Arnold inquires of the Chair if the bill should be referred to the Committee on Finance. The Speaker states that the fiscal note shows no fiscal impact and rules that the bill does not have to go to the Committee on Finance.

On motion of Representative Weiss, the bill is withdrawn from the Calendar and placed on the Calendar of June 20.

**S.B. 408** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (116-1).

The bill, as amended, passes its third reading, by electronic vote (110-6), and is ordered sent to the Senate for concurrence in House amendment.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 912** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE INDEXING, DOCKETING, OR RECORDING OF UNAUTHORIZED CLAIMS OF LIEN AND TO PROVIDE FOR PENALTIES FOR FILING

UNAUTHORIZED STATUTORY LIENS: Representative Baddour, Chair; Representatives Culpepper, Weiss, and Pope.

The Senate is so notified by Special Message.

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Gibson, Warwick, and McComas, Chairs, for the Committee on Environment and Natural Resources:

**H.J.R. 419**, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S TOURISM INDUSTRY AND ITS ECONOMIC IMPACT STATEWIDE, with a favorable report and recommendation that the resolution be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The resolution is re-referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 19, 2001

Mr. Speaker:

June 19, 2001

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Committee Substitute bill No. 3 to **S.B. 243** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN CITIES AND TOWNS TO USE PHOTOGRAPHIC IMAGES AS PRIMA FACIE EVIDENCE OF A TRAFFIC VIOLATION AND TO PREVENT INSURANCE POINTS FROM BEING ASSESSED and requests conferees. The President Pro Tempore appoints:

Senator Plyler, Chair  
Senator Purcell  
Senator Hartsell  
Senator Ballantine

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Weiss and without objection, **S.B. 1014** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LITTERING LAWS, is withdrawn from the Calendar of June 20 and re-referred to the Committee on Judiciary II.

### **RE-REFERRAL**

On motion of Representative Wright and without objection, **H.B. 1405**, A BILL TO BE ENTITLED AN ACT FINDING THAT A PUBLIC HEALTH EMERGENCY EXISTS IN NORTH CAROLINA IN REGARDS TO HIV/AIDS; INCREASING THE INCOME ELIGIBILITY CAP OF THE AIDS DRUG ASSISTANCE PROGRAM; INCREASING FUNDING FOR HIV/AIDS PREVENTION EFFORTS; AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY PROGRAMS RELATING TO HIV/AIDS PREVENTION AND CARE, is withdrawn from the Committee on Health and re-referred to the Committee on Appropriations.

On motion of Representative Culpepper, seconded by Representative Cole, the House adjourns at 4:22 p.m. to reconvene June 20 at 3:00 p.m.

**EIGHTY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 20, 2001

The House meets at 3:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Honorable Parks Helms, former Member of the House of Representatives and Chair of the Mecklenburg County Commissioners.

"Create in us an awareness of Thy Presence, Heavenly Father, as we gather in the magnificence of these surroundings, remind us of those who look to the Members of this House for leadership. Remind us of the past history of this General Assembly - and its response to crisis and challenge in years past.

"Remind us that we are servants - and that in the midst of a changing, evolving world, we are called upon to be courageous, and creative in doing Thy will.

"And finally, Heavenly Father, motivate us to be driven, not by fear, not by doubt, not by personal ambition, but by our best and most noble instincts as human beings. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Esposito and Johnson for today.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 689**, AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS AND TO INCLUDE ALEXANDER COUNTY AMONG THOSE COUNTIES IN WHICH VACANCIES IN THE OFFICE OF SHERIFF ARE FILLED



THROUGH CONSULTATION WITH THE POLITICAL PARTY OF THE PREVIOUS SHERIFF.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 636**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF ELIZABETH CITY AND TO REPEAL PRIOR LOCAL ACTS. (S.L. 2001-227)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 534**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 368**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF HALIFAX, with a favorable report as to committee substitute bill, which changes the title,, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**S.B. 139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL FLEXIBILITY WITH REGARD TO THE

REHIRING OF TEACHERS WHO LEAVE PUBLIC SCHOOLS TO TEACH IN CHARTER SCHOOLS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36.2(a)(2), the Chair refers the House committee substitute bill to the Committee on Pensions and Retirement. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 367** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN, AND TO AUTHORIZE THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY THE APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT TO THESE AGENCIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**S.B. 269** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF INVESTMENT ADVISER REPRESENTATIVE; TO ALLOW MULTIPLE REGISTRATION OF INVESTMENT ADVISER REPRESENTATIVES FOR CERTAIN PURPOSES; AND TO REVISE THE REGISTRATION AND NOTICE FILING PROCEDURES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

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

The following are introduced, read the first time and referred to committee:

By Representatives Barefoot and Goodwin:

**H.R. 1458**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOSEPH HEWES, WILLIAM HOOPER, AND JOHN PENN, THE SIGNERS OF THE DECLARATION OF INDEPENDENCE FROM NORTH CAROLINA ON THE TWO HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE ADOPTION OF THAT HISTORIC DOCUMENT BY THE SECOND CONTINENTAL CONGRESS, is referred to the Committee on Rules, Calendar, and Operations of the House.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH CAROLINA INTERNSHIP COUNCIL, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 356** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NON-RESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 643** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH AGENTS OF RAPE CRISIS CENTERS AND DOMESTIC VIOLENCE PROGRAMS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Senate Committee Substitute for **H.B. 884** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE AND TO AMEND THE LAW PROVIDING COMPENSATION TO THE PERSON FOR A WRONGFUL CONVICTION, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1062** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR

SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT: Representative Baddour, Chair; Representatives Weiss, Ellis, McMahan, and Miller.

The Senate is so notified by Special Message.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1246** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, TO ALLOW INTELLECTUALLY GIFTED YOUTHS TO ATTEND COMMUNITY COLLEGES, AND TO ALLOW CERTAIN YOUTHS TO BE EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION.

On motion of Representative Arnold, the House does not concur in the Senate committee substitute bill, by electronic vote (114-0), and the Senate is so notified by Special Message.

**S.B. 746** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, AND TO MAKE CONFORMING CHANGES.

On motion of Representative Haire and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 21.

### SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

**S.J.R. 707**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RICHARD CLARK, FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Culpepper, Rule 41(a) is suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

### CALENDAR (continued)

**S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS.

On motion of the Chair, the bill is temporarily displaced.

**S.B. 395** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Baddour, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Church, Clary, Cole, Cox, Culp, Culpepper, Daughtry, Dedmon, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Starnes, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Womble, Wright, and Yongue - 79.

Voting in the negative: Representatives Allred, Arnold, Baker, Barbee, Barnhart, Blust, Brubaker, Capps, Carpenter, Coates, M. Crawford, Davis, Decker, Eddins, Gillespie, Grady, Gulley, Harrington, Hiatt, Hilton, Howard, Justus, Kiser, McComas, Mitchell, Rayfield, Setzer, Sexton, Shubert, Teague, Thompson, Walend, West, C. Wilson, and G. Wilson - 35.

Excused absences: Representatives Esposito and Johnson - 2.

**H.B. 232** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE, THE PUBLIC UTILITY REGULATORY FEE, AND THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE; TO INCREASE THE NON-RESIDENT FEE FOR SEARCHING PUBLIC ARCHIVES; TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE; TO ACCELERATE PAYMENT OF WITHHOLDING TAXES; TO ACCELERATE PAYMENT OF SALES AND UTILITY TAXES; AND TO MAKE THE BOXING COMMISSION INDEPENDENT OF GENERAL FUND SUPPORT.

Representative Ellis offers Amendment No. 1.

Representative Culpepper inquires of the Chair if the amendment is germane to the title. The Speaker rules that the amendment would require a title change and is not germane to the title.

Representative Ellis moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of the Chair, the bill is temporarily displaced.

**S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS.

Representative McMahan moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of the Chair, the bill with pending motion is temporarily displaced.

**S.B. 532** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, AND TO REQUIRE NOTICE OF THE DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF NONCERTIFIED EMPLOYEES, passes its second reading, by electronic vote (99-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 600** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES.

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

**H.B. 232** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE, THE PUBLIC UTILITY REGULATORY FEE, AND THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE; TO INCREASE THE NON-RESIDENT FEE FOR SEARCHING PUBLIC ARCHIVES; TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE; TO ACCELERATE PAYMENT OF WITHHOLDING TAXES; TO ACCELERATE PAYMENT OF SALES AND UTILITY TAXES; AND TO MAKE THE BOXING COMMISSION INDEPENDENT OF GENERAL FUND SUPPORT, which was temporarily displaced, with a pending motion to refer it to the Committee on Finance, is before the Body.

The motion fails by electronic vote (46-66).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Buchanan, Coates, Cole, Cox, M. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Edwards, Fitch, Fox, Gibson, Goodwin, Grady, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Nesbitt, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Thompson, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, C. Wilson, Womble, Wright, and Yongue - 77.

Voting in the negative: Representatives Arnold, Baker, Barnhart, Blust, Brubaker, Capps, Carpenter, Clary, Daughtry, Davis, Decker, Eddins, Ellis, Gillespie, Guley, Harrington, Hiatt, Hilton, Howard, Kiser, McCombs, Mitchell, Morris, Pope, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Walend, Walker, Weatherly, West, and G. Wilson - 36.



Excused absences: Representatives Esposito and Johnson - 2.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **H.B. 1246** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, TO ALLOW INTELLECTUALLY GIFTED YOUTHS TO ATTEND COMMUNITY COLLEGES, AND TO ALLOW CERTAIN YOUTHS TO BE EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION: Representative Bonner, Chair; Representatives Warner and Arnold.

The Senate is so notified by Special Message.

### 2001 GENERAL ASSEMBLY FIRST SESSION

#### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
June 20, 2001

Mr. Speaker:

Pursuant to your message received today, June 20, 2001, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 722**, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE, and request conferees the President Pro Tempore appoints:

Senator Soles, Chair  
Senator Plyler  
Senator Carpenter

June 20, 2001

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**S.B. 206**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOURIST-ORIENTED DIRECTIONAL SIGN (TODS) PROGRAM, with a favorable report as to House committee substitute bill, unfavorable as to original bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1390**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF WITHDRAWAL SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

### **RE-REFERRAL**

On motion of the Chair, pursuant to Rule 39.2, **S.B. 866** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE PERSONS WITH DISABILITIES PROTECTION ACT, is

withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary III.

### **MOTION TO ADJOURN**

Representative Daughtry moves that the House adjourn. The motion dies for lack of a second.

### **CALENDAR (continued)**

**S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS, which was temporarily displaced, with a pending motion to re-refer it to the Committee on Finance, is before the Body.

Representative Daughtry moves that the bill be withdrawn from the Calendar and placed on the Calendar of June 21.

Representative Daughtry withdraws his motion.

The motion to re-refer the bill to Finance fails by electronic vote (49-58).

Representative Owens offers Amendment No. 1 which is adopted by electronic vote (107-0).

Representative Blust offers Amendment No. 2.

Representative Baddour inquires of the Chair if the amendment is germane to the title. The Speaker rules that the amendment is germane.

Amendment No. 2 is adopted by electronic vote (92-15).

Representative Pope offers Amendment No. 3 which is adopted by electronic vote ((109-0).

The bill, as amended, passes its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barefoot, Bell, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Coates, Cole, Cox, M. Crawford, Culp, Culpepper, Cunningham, Dedmon, Dockham, Earle, Easterling, Eddins, Fitch, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Hiatt, Hill,

Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McComas, McCombs, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walker, Warren, Warwick, Weiss, G. Wilson, Womble, Wright, and Yongue - 77.

Voting in the negative: Representatives Arnold, Baker, Barbee, Barnhart, Blue, Blust, Carpenter, Clary, Daughtry, Davis, Decker, Ellis, Fox, Harrington, Hensley, Hilton, Holliman, Holmes, Kiser, McAllister, Mitchell, Nesbitt, Pope, Russell, Setzer, Sexton, Shubert, Starnes, Walend, Warner, Weatherly, West and C. Wilson - 33.

Excused absences: Representatives Esposito and Johnson - 2.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1430**, A BILL TO BE ENTITLED AN ACT TO ADJUST TAX RATES AND MAKE OTHER CHANGES TO THE TAX LAWS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Jarrell, the House adjourns at 7:29 p.m. to reconvene June 21 at 10:00 a.m.

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## EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, June 21, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Open our eyes, Lord, and grant us a vision of the world, not as it is, but as it can be. Let us not lose hope in the mire of the present circumstances. Let not the difficulties of today erase the promise of tomorrow. Grant us strength of character to face squarely the responsibility

June 21, 2001

that has been given to us. Grant us creativity in thought, that we might envision new ways of stretching our resources to help those most vulnerable in society. Grant us grace in our interactions with others, that we might honestly listen to their ideas and evaluate them on their merits. Give us the will and show us the way, O God. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Cunningham, Esposito, and Johnson for today. Representatives Arnold, Gray, McLawhorn, Morris, Smith, and Womble are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**H.B. 109**, AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY.

**H.B. 1342**, AN ACT TO PROVIDE FOR TIME LIMITS FOR NOTIFICATION OF LEASED VEHICLE PARKING VIOLATIONS AND THE APPLICABILITY OF THE PRIMA FACIE RULE OF EVIDENCE.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 535**, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE.

The following resolutions are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 707**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF RICHARD CLARK, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2001-20)

**H.J.R. 663**, A JOINT RESOLUTION HONORING THE MEMORY OF THE VICTIMS OF THE IMPERIAL FOOD PRODUCTS FIRE. (S.L. 2001-21)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committee and permanent subcommittee are presented:

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 1022**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH UNREDUCED BENEFITS AFTER TWENTY-EIGHT YEARS OF SERVICE AND TO ESTABLISH A RETENTION INCENTIVE PROGRAM FOR MEMBERS OF THE RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representative McLawhorn, Chair, for the Permanent Subcommittee on Community Colleges:

### **REPORT OF COMMUNITY COLLEGES SUBCOMMITTEE**

Pursuant to G.S. 115D-2.1(b)(4)f, the House Education Subcommittee on Community Colleges met on June 19, 2001, the majority of members being present, and submits the following nominees to be considered by the House of Representatives June 21, 2001, for election to the State Board of Community Colleges to fill an unexpired term, ending June 30, 2003.

Walter W. "Dub" Dickson  
Gastonia, North Carolina

June 21, 2001

Jimmy L. Moore  
Sylva, North Carolina

I certify that the nominees are legally qualified to serve and are willing to serve if elected.

S/ Marian N. McLawhorn, Chair  
EDUCATION/Subcommittee  
on Community Colleges

### **STATE BOARD OF COMMUNITY COLLEGES ELECTION**

The Speaker recognizes Representative McLawhorn, who explains the subcommittee report and the voting procedure to the Members.

Pursuant to **H.R. 1457**, A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES, ballots are distributed to the Members and the election proceeds.

Representatives McLawhorn, Arnold, Smith, and Womble retire from the Chamber to canvass the vote.

### **CALENDAR**

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 356** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES.

On motion of Representative Dockham, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (110-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1062** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS.

On motion of Representative Gibson, the House concurs in the Senate committee substitute bill, by electronic vote (110-1), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 534** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 746** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, AND TO MAKE CONFORMING CHANGES.

On motion of Representative Haire and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of June 26.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 860** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT TRUST BUSINESS ON AN INTERSTATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD



OF DIRECTORS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

### **STATE BOARD OF COMMUNITY COLLEGES ELECTION**

Representative McLawhorn, Chair of the Permanent Subcommittee on Community Colleges of the Standing Committee on Education, makes the following report concerning the State Board of Community Colleges election.

Walter W. "Dub" Dickson received 81 votes and Jimmy (Jim) L. Moore received 34 votes.

Walter W. "Dub" Dickson, having received a majority vote, is elected.

On motion of Representative McLawhorn, and pursuant to Article VI, Section 5 of the North Carolina Constitution, Walter W. "Dub" Dickson is elected by acclamation to the State Board of Community Colleges. Mr. Dickson will serve the remainder of an unexpired term, beginning June 21, 2001, and ending June 30, 2003.

On motion of Representative McLawhorn, and pursuant to G.S. 115D-2.1(b)(4)f, the foregoing action taken by the House of Representatives is confirmed by electronic vote (114-0).

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-0).

The Senate is so notified of the action taken by Special Message.

### **CALENDAR (continued)**

**H.B. 232** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO SET THE INSURANCE REGULATORY CHARGE, THE PUBLIC UTILITY REGULATORY FEE, AND THE ELECTRIC MEMBERSHIP CORPORATION REGULATORY FEE; TO INCREASE THE NONRESIDENT FEE FOR SEARCHING PUBLIC ARCHIVES; TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE; TO ACCELERATE PAYMENT OF WITHHOLDING TAXES; TO ACCELERATE PAYMENT

June 21, 2001

OF SALES AND UTILITY TAXES; AND TO MAKE THE BOXING COMMISSION INDEPENDENT OF GENERAL FUND SUPPORT.

Representative Allred offers Amendment No. 2.

Representative Allred withdraws his amendment.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Daughtry, Dedmon, Dockham, Easterling, Edwards, Fox, Gibson, Goodwin, Grady, Gullely, Hackney, Haire, Hall, Hill, Holliman, Holmes, Hunter, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Morris, Nye, Oldham, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, C. Wilson, Womble, Wright, and Yongue - 77.

Voting in the negative: Representatives Arnold, Baker, Barbee, Barnhart, Blust, Brubaker, Capps, Carpenter, Clary, Creech, Davis, Decker, Eddins, Ellis, Gillespie, Hensley, Hiatt, Hilton, Howard, Kiser, Mitchell, Pope, Rayfield, Setzer, Sexton, Shubert, Starnes, Walker, Weatherly, West, and G. Wilson - 31.

Excused absences: Representatives Church, Cunningham, Esposito, Gray, and Johnson - 5.

Representative Walend requests and is granted permission to be recorded as voting "no". The adjusted vote total is (77-32).

**S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS.

Representative Nesbitt offers Amendment No. 4.

Representative Haire offers perfecting Amendment No. 5.

Representative Blue inquires of the Chair if the perfecting amendment has the effect of deleting Amendment No. 4. The Speaker rules that it does not.

Perfecting Amendment No. 5 fails of adoption by electronic vote (10-103).

Representative Hackney offers perfecting Amendment No. 6.

Representative Hackney withdraws his amendment.

Amendment No. 4 is adopted by electronic vote (107-4).

Representatives Shubert and Clary request and are granted permission to change their votes from "no" to "aye". Representative C. Wilson's vote is changed from "no" to "not voting". The adjusted vote total is (109-1).

Representative Allred offers Amendment No. 7 which is adopted by electronic vote (58-53).

Representative Nesbitt offers Amendment No. 8.

On motion of the Chair, Amendment No. 8 is temporarily displaced.

Representative Nesbitt offers Amendment No. 9 which is adopted by electronic vote (72-40).

Amendment No. 8, which was temporarily displaced, is before the Body.

Amendment No. 8 fails of adoption by electronic vote (51-62).

Representative Pope offers Amendment No. 10 which fails of adoption by electronic vote (57-58).

Representative Pope offers Amendment No. 11.

The Chair rules that the amendment is not germane to the title.

Representative Nesbitt offers Amendment No. 12 which fails of adoption by electronic vote (48-62).

Representative Pope offers Amendment No. 13 which fails of adoption by electronic vote (52-59).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Brubaker, Buchanan, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Dedmon, Dockham, Easterling, Eddins, Edwards, Fox, Gibson, Gillespie, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Hensley, Hill, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Morgan, Nye, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Thompson, Tolson, Tucker, Underhill, Wainwright, Warren, Warwick, Weiss, G. Wilson, Wright, and Yongue - 73.

Voting in the negative: Representatives Adams, Arnold, Baker, Barnhart, Blust, Capps, Carpenter, Creech, Daughtry, Davis, Decker, Earle, Ellis, Fitch, Harrington, Hiatt, Hilton, Holliman, Holmes, Howard, Kiser, Mitchell, Nesbitt, Pope, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Walend, Walker, Warner, Weatherly, West, C. Wilson, and Womble - 38.

Excused absences: Representatives Church, Cunningham, Esposito, Gray, Johnson, and Morris - 6.

### **SPECIAL MESSAGES FROM THE SENATE**

The following special messages are received from the Senate:

**S.B. 80** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK, is read the first time and referred to the Committee on Finance.

**S.J.R. 362** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT L. POWELL AS STATE CONTROLLER, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

**S.B. 824** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND

STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION, is read the first time and referred to the Committee on Health.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 21, 2001

Mr. Speaker:

Pursuant to your message received today, June 21, 2001, that the House of Representatives fails to concur in Senate Committee Substitute to **H.B. 1246**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, TO ALLOW INTELLECTUALLY GIFTED YOUTHS TO ATTEND COMMUNITY COLLEGES, AND TO ALLOW CERTAIN YOUTHS TO BE EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION, and requests conferees, the President Pro Tempore appoints:

Senator Dalton, Chair  
Senator Garrou  
Senator Horton

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

On motion of Representative Culpepper, seconded by Representative Pope, the House adjourns at 1:57 p.m. to reconvene Monday, June 25, 2001, at 7:00 p.m.

June 21, 2001

**EIGHTY-SEVENTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, June 25, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, the span of Your love reaches to the frontiers of the cosmos, yet You care for each person as if they were the sole object of Your devotion. Though You stand above the world as its creator, You choose to remain intimately involved within it as its sustainer, You invite us to participate in Your ongoing mission to bring peace and mercy, justice and equity. Empower us, O God, to be Your servants. Show us how we can bring wholeness where there is brokenness in society, order where there is chaos, peace where there is strife. May we not only be about the work of the people; may we be about the work of God as well. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowie, Brubaker, Easterling, Ellis, Esposito, Hiatt, Lucas, and Starnes for today.

**ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 9**, AN ACT TO APPOINT MEMBERS TO THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION.

**S.B. 408**, AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION.

**S.B. 681**, AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING

UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

**S.B. 860**, AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT TRUST BUSINESS ON AN INTER-STATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD OF DIRECTORS.

**H.B. 356**, AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO CLARIFY THE DEFINITION OF COLLECTION AGENCY; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO CONFORM THE LAW ON DECEPTIVE REPRESENTATION BY COLLECTION AGENCIES TO FEDERAL LAW; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES.

**H.B. 1062**, AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 614**, AN ACT TO AUTHORIZE THE TOWNS OF CARY AND WEDDINGTON AND THE CITIES OF CHARLOTTE, CONCORD, AND MONROE TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION.

**H.B. 838**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST.

**CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 535**, AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO EXERCISE EXTRATERRITORIAL JURISDICTION IN THE CITY'S SPHERE OF INFLUENCE. (S.L. 2001-228)

**H.B. 431**, AN ACT TO CODIFY THE NEED-BASED SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, TO AMEND THE APPLICATION REQUIREMENTS, AND TO ALLOW THE STATE BOARD OF COMMUNITY COLLEGES TO TARGET A PORTION OF THE FUNDS TO STUDENTS ENROLLED IN HIGH-DEMAND OCCUPATIONS. (S.L. 2001-229)

**S.B. 160**, AN ACT TO APPLY THE LIABILITY LIMITATIONS OF THE GOOD SAMARITAN LAW TO CERTAIN MEDICAL CARE PROVIDERS. (S.L. 2001-230)

**S.B. 257**, AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE TO GIVE THE SECRETARY OF STATE THE AUTHORITY TO PREVENT FRAUDULENT FILINGS AND TO MAKE CLARIFYING CHANGES. (S.L. 2001-231)

**S.B. 466**, AN ACT TO INCREASE THE AMOUNT OF BURIAL EXPENSES COVERAGE UNDER THE WORKERS' COMPENSATION ACT; TO CHANGE A REQUIREMENT IN THE LOSS COSTS RATE-MAKING LAW; AND TO AMEND THE RATE BUREAU APPEAL STATUTE TO PROVIDE THAT MEMBER COMPANIES ARE NOT ALLOWED TO APPEAL BUREAU DECISIONS ON RATES OR LOSS COSTS. (S.L. 2001-232)

**S.B. 543**, AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN CONTROLLED SUBSTANCES TO MAKE CONSISTENT WITH FEDERAL LAW GOVERNING CONTROLLED SUBSTANCES. (S.L. 2001-233)

**S.B. 937**, AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES UNDER THE CERTIFICATE OF NEED LAW. (S.L. 2001-234)



**H.B. 573**, AN ACT TO ELIMINATE THE REQUIREMENT FOR NOTARIZATION OF CAMPAIGN REPORTS. (S.L. 2001-235)

**H.B. 357**, AN ACT TO INCREASE THE AMOUNTS OF LIABILITY INSURANCE THAT MAY BE CEDED TO THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY TO FACILITATE THE PURCHASE OF EXCESS OR UMBRELLA COVERAGE BY MOTOR VEHICLE OWNERS AND TO CLARIFY OTHER LAWS RELATING TO UMBRELLA INSURANCE. (S.L. 2001-236)

**H.B. 377**, AN ACT TO MAKE CLARIFYING AND OTHER CHANGES TO THE GENERAL STATUTES PERTAINING TO CHILD SUPPORT. (S.L. 2001-237)

**S.B. 123**, AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO ISSUE SPECIAL OBLIGATION BONDS FOR WATER AND SEWER PROJECTS. (S.L. 2001-238)

**S.B. 719**, AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINENT DOMAIN PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION AUTHORITY. (S.L. 2001-239)

**H.B. 3**, AN ACT TO ALLOW THE SECRETARY OF ADMINISTRATION AND STATE AGENCIES TO ADD A PERCENT INCREASE TO BIDS OF NONRESIDENT BIDDERS WHERE THE NONRESIDENT BIDDERS' HOME STATES GRANT PREFERENCES TO IN-STATE BIDDERS. (S.L. 2001-240)

**S.B. 468**, AN ACT TO PROVIDE FOR GUIDELINES, RIGHTS, AND OBLIGATIONS IN WORKERS' COMPENSATION INSURANCE POLICY CANCELLATIONS AND NONRENEWALS. (S.L. 2001-241)

**S.B. 714**, AN ACT TO AMEND THE DEFINITION OF "AMBULATORY SURGICAL FACILITY" BY REDUCING THE NUMBER OF REQUIRED OPERATING ROOMS FROM TWO TO ONE AND TO AMEND THE DEFINITION OF "NEW INSTITUTIONAL HEALTH SERVICE" BY INCLUDING CONSTRUCTION, DEVELOPMENT, ESTABLISHMENT, INCREASE IN NUMBER, OR RELOCATION OF AN OPERATING ROOM OR OPERATING ROOMS AND TO EXTEND THE DETERMINATIVE EFFECT OF THE STATE MEDICAL FACILITIES PLAN TO ALL OPERATING ROOMS AND TO REPEAL S.L. 2000-135. (S.L. 2001-242)

**S.B. 573**, AN ACT TO CLARIFY THAT NONRESIDENTS MAY PARTICIPATE IN THE PARENTAL SAVINGS TRUST FUND. (S.L. 2001-243)

**S.B. 811**, AN ACT TO ENSURE THAT THE PARENTS OR GUARDIANS OF STUDENTS WHO ARE SUSPENDED OR EXPELLED FROM SCHOOL RECEIVE NOTICE THAT IS EASY TO UNDERSTAND. (S.L. 2001-244)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 942**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1231**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FORMULA USED TO APPORTION THE INCOME OF MULTISTATE CORPORATIONS TO THIS STATE BY ELIMINATING THE DOUBLE-WEIGHTED SALES FACTOR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

**H.B. 1430**, A BILL TO BE ENTITLED AN ACT TO ADJUST TAX RATES AND MAKE OTHER CHANGES TO THE TAX LAWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar of June 26. The original bill is placed on the Unfavorable Calendar.

By Representatives Barefoot and Cox, Chairs, for the Committee on Pensions and Retirement:

**H.B. 999**, A BILL TO BE ENTITLED AN ACT TO PROVIDE COST-OF-LIVING INCREASES FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

**H.B. 1331**, A BILL TO BE ENTITLED AN ACT TO ENABLE CERTAIN RETIRED SCHOOL EMPLOYEES TO RETURN TO THE PUBLIC SCHOOLS AFTER THREE MONTHS WITHOUT LOSING RETIREMENT BENEFITS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

### INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Alexander, Clary, Dedmon, and Weatherly:

**H.J.R. 1459**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DR. T. REGINALD HARRIS, CHAMPION OF HEALTH CARE ACCESS FOR NORTH CAROLINA'S INDIGENT POPULATIONS, AND EXPRESSING THE INTENT OF THE GENERAL ASSEMBLY TO PURSUE ACCESS TO HEALTH CARE FOR ALL, is referred to the Committee on Rules, Calendar, and Operations of the House.

### CONFERENCE REPORT

Representative Cox sends forth a Conference Report on **H.B. 722** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO

INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 26.

### CALENDAR

Action is taken on the following:

**S.B. 395** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Cole, Cox, J. Crawford, Culpepper, Dedmon, Earle, Edwards, Fox, Gibson, Goodwin, Grady, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Luebke, McCombs, McLawhorn, Michaux, Miller, Miner, Morgan, Morris, Nye, Oldham, Owens, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, Womble, Wright, and Yongue - 70.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Capps, Carpenter, Coates, M. Crawford, Culp, Daughtry, Davis, Decker, Eddins, Gillespie, Hilton, Holmes, Johnson, McComas, Mitchell, Nesbitt, Pope, Setzer, Shubert, Teague, Thompson, Underhill, West, C. Wilson, and G. Wilson - 29.

Excused absences: Representatives Bowie, Brubaker, Easterling, Ellis, Esposito, Hiatt, Howard, Lucas, and Starnes - 9.

### INTRODUCTION OF PAGES

Pages for the week of June 25 are introduced to the membership. They are: Jaime Alligood of Mecklenburg; Brett Alter of Mecklenburg; Samuel

June 25, 2001

Thomas Currin, II, of Wake; Michelle Daniels of Wake; April Fowler of Cabarrus; Rachel Gordon of Davidson; Susan Hill of Wake; Summer Horne of Richmond; Margaret Johnson of Alamance; William Jones of Gaston; Brian Milam of Mecklenburg; Steven Parker of Gates; Stephanie Robinson of Cumberland; Jordan Selleck of Henderson; Susie Sewell of Onslow; Keith Sharpton of Haywood; Bradley Smith of Brunswick; Jonathan Taft of Pitt; Jasmine Taylor of Durham; Maxwell Weaver of Wayne; Daniel Whitley, III, of Wayne; and Carson Wilkie of Iredell.

On motion of Representative Culpepper, seconded by Representative Walend, the House adjourns at 7:38 p.m. to reconvene June 26 at 2:00 p.m.

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## **EIGHTY-EIGHTH DAY**

HOUSE OF REPRESENTATIVES  
Tuesday, June 26, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, we are grateful for Your kindness toward us. When we were yet far off from You, You went out and looked for us, waited for us, and welcomed us home. Even now, when we feel distanced, You draw us close; when we are guilty, You accept us; when we are discouraged, You inspire us. May we be so moved by Your love for us, that we would reflect this love to others. May grace and mercy, forgiveness and understanding be the hallmarks of our interactions with others, not only in times of agreement, but especially in times of controversy. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowie, Coates, Ellis, Esposito, and Miner for today. Representative Walend is excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

June 26, 2001

**S.B. 532**, AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, AND TO REQUIRE NOTICE OF THE DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF NONCERTIFIED EMPLOYEES.

**S.B. 823**, AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY.

**H.B. 1448**, AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 668**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 614**, AN ACT TO AUTHORIZE THE TOWNS OF CARY AND WEDDINGTON AND THE CITIES OF CHARLOTTE, CONCORD, AND MONROE TO EXPEND FUNDS ON ROADS OUTSIDE THE CORPORATE LIMITS AND FOR PARTICIPATION IN CONSTRUCTION OF ROADS OUTSIDE THE CORPORATE LIMITS BY THE DEPARTMENT OF TRANSPORTATION. (S.L. 2001-245)

**H.B. 838**, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST. (S.L. 2001-246)

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 80** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of June 27.

**S.B. 365** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR AD VALOREM TAXES AND TO ALLOW COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### **SPECIAL MESSAGE FROM THE SENATE**

The following special message is received from the Senate:

Senate Committee Substitute for **H.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

Senate Committee Substitute for **H.B. 108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CHEROKEE, CURRITUCK, GRAHAM, HAYWOOD, JACKSON, MADISON, PASQUOTANK, PERQUIMANS, SWAIN, VANCE, AND WARREN

COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 598** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**S.B. 446** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PHARMACY PRACTICE ACT BY AUTHORIZING THE BOARD TO ESTABLISH REGISTRATION CRITERIA FOR PHARMACY TECHNICIANS, is read the first time and referred to the Committee on Finance.

**S.B. 841**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NET PROCEEDS FROM THE SALE OF REAL PROPERTY AT DOBBS YOUTH ACADEMY TO BE USED FOR CAPITAL IMPROVEMENTS AT THE ACADEMY, is read the first time and referred to the Committee on Appropriations.

**S.B. 901** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDY OF DOT CASH MANAGEMENT, is read the first time and referred to the Committee on Appropriations.

## CALENDAR

Action is taken on the following:

**H.B. 1430** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH

June 26, 2001



CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO AUTHORIZE DHHS FACILITY SERVICES FEES; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX.

On motion of the Chair, the bill is temporarily displaced.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and Senate Committee Substitute for **H.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, is placed on today's Calendar for immediate consideration.

On motion of Representative Gibson, the House does not concur in the Senate committee substitute bill, by electronic vote (112-1), and conferees are requested.

The Speaker appoints Representative Gibson, Chair; Representatives Warwick and Culp as conferees on the part of the House and the Senate is so notified by Special Message.

Representative Culpepper moves, seconded by Representative Jarrell that the House adjourn, subject to the receipt of Committee Reports, to reconvene June 27 at 2:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 653**, A BILL TO BE ENTITLED AN ACT TO CREATE THE FOOTHILLS REGIONAL AIRPORT AUTHORITY SPECIAL TAX DISTRICT AND TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Wright, Chair, for the Committee on Health:

**S.B. 824** (Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 27 as a Special Order of Business. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Easterling, Oldham, Redwine, and Thompson, Chairs, for the Committee on Appropriations:

**S.B. 1005** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, with a favorable report as to House committee substitute bill, unfavorable as to Senate Committee Substitute Bill No. 2.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of June 27 as a Special Order of Business. Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

The House stands adjourned at 11:20 p.m.

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## **EIGHTY-NINTH DAY**

HOUSE OF REPRESENTATIVES  
Wednesday, June 27, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, former House Chaplain, Raleigh, North Carolina:

"Almighty God,

"Great are You and worthy are You to be praised. As this Body meets and debates and discerns deep into the misty recesses of the night the best course of action for the budget, we thank You that You are a God that does not slumber nor sleep. We are grateful that while we stretch to keep our eyes open and look for compromise You are there, wide awake, waiting in the wings for us to call upon Thee for guidance and direction. Grant unto this Body their collective wisdom to make decisions that would be in the best interests of Your people and in all our comings and goings, have mercy upon us. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Esposito is excused for a portion of the session.

### ENROLLED BILLS

The following bill is duly ratified and presented to the Governor:

**H.B. 343**, AN ACT REMOVING SUNSET PROVISIONS RELATING TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND MAKING OTHER AMENDMENTS.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 534**, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS.

### CONFEREES APPOINTED

The Speaker announces the following additional conferees on Senate Committee Substitute for **H.B. 1312** (Committee Substitute), A BILL TO BE

June 27, 2001

ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS: Representatives Hill and Hackney.

The Senate is so notified by Special Message.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Jarrell, Chair, for the Committee on Local Government II:

**S.B. 559** (Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### **2001 GENERAL ASSEMBLY FIRST SESSION**

#### **SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 26, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 722** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO

June 27, 2001

PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 26, 2001

Mr. Speaker:

Pursuant to your message received today, June 26, 2001, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1312**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO PROVIDE FOR THE ISSUANCE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS UNDER ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, and request conferees the President Pro Tempore appoints:

Senator Albertson, Chair  
Senator Odom  
Senator Hartsell

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

June 27, 2001

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following is introduced, read the first time and referred to committee:

By Representative Haire:

**H.J.R. 1460**, A JOINT RESOLUTION HONORING THE FOUNDERS OF JACKSON COUNTY ON THE COUNTY'S SESQUICENTENNIAL ANNIVERSARY, is referred to the Committee on Rules, Calendar, and Operations of the House.

**MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 1068** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Senate Committee Substitute for **H.B. 1111**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION TO INCLUDE DEVELOPING A PROGRAM REGARDING THE APPROVAL OF TECHNICAL SPECIALISTS AND THE DEVELOPMENT AND APPROVAL OF CERTAIN BEST MANAGEMENT PRACTICES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**CALENDAR**

Action is taken on the following:

June 27, 2001

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 80** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK, is moved up on today's Calendar.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baddour, Baker, Barbee, Barefoot, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 112.

Voting in the negative: Representatives Barnhart and Carpenter - 2.

Excused absence: Representative Esposito.

**S.B. 1005** (House Committee Substitute), 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.

Representative Blust inquires of the Chair if the rules for the Appropriations process have to be voted on by the Body. The Speaker rules that they do not.

Representative Ellis offers Amendment No. 1 which fails of adoption, by electronic vote (50-68).

Representative Ellis offers Amendment No. 2 which fails of adoption by electronic vote (46-72).

Representative Decker offers Amendment No. 3 which fails of adoption by electronic vote (38-77).

Representative Shubert offers Amendment No. 4 which fails of adoption by electronic vote (43-70).

Representative Daughtry offers Amendment No. 5.

On motion of Representative Daughtry, Amendment No. 5 is temporarily displaced.

Representative Davis offers Amendment No. 6 which is adopted by electronic vote (109-6).

Amendment No. 5, which was temporarily displaced, is before the Body.

Amendment No. 5 fails of adoption by electronic vote (55-60).

Representative Michaux offers Amendment No. 7 which is adopted by electronic vote (65-54).

Representative Jeffus offers Amendment No. 8.

Representative Hensley inquires of the Chair if the amendment is eligible under the Appropriations rules. The Speaker rules the amendment is not eligible.

Representative Nesbitt offers Amendment No. 9 which is adopted by electronic vote (107-1).

Representative Baddour requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (108-1).

Representative Nesbitt offers Amendment No. 10 which is adopted by electronic vote (114-2).

Representative Warwick requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (115-2).

Representative Nesbitt offers Amendment No. 11 which is adopted by electronic vote (114-2).



Representative Daughtry offers Amendment No. 12.

On motion of the Chair, the amendment is temporarily displaced.

Representative Blue offers Amendment No. 13 which fails of adoption by electronic vote (55-61).

Representative J. Crawford requests and is granted permission to be recorded as voting "no". The adjusted vote total is (55-62).

The bill, as amended, passes its second reading, by electronic vote (91-29), and remains on the Calendar.

**S.B. 824** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION passes its second reading, by electronic vote (86-31), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (85-31), and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.J.R. 362** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT L. POWELL AS STATE CONTROLLER, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of June 28.

### **CONFERENCE REPORT**

Representative Baddour sends forth the Conference Report on **S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC

CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 28.

### CONFERENCE REPORT

Representative Gibson sends forth the Conference Report on Senate Committee Substitute for **H.B. 1312** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 28.

### SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

**S.B. 42** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND TO EXTEND EXPIRING PROVISIONS OF LAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

### 2001 GENERAL ASSEMBLY FIRST SESSION

### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
June 27, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendments No. 1, No 2, and No. 3 to **S.B. 352** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A

June 27, 2001

PUBLIC HEALTH NUISANCE, and request conferees. The President Pro Tempore appoints:

Senator Kerr, Chair  
Senator Hoyle  
Senator Albertson  
Senator Garwood

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 27, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill No. 2 to **S.B. 353**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS, and request conferees. The President Pro Tempore appoints:

Senator Kerr, Chair  
Senator Hoyle  
Senator Odom  
Senator Hartsell

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

June 27, 2001

The Speaker appoints Representative Allen, Chair; Representatives Luebke, Wainwright, and Buchanan as conferees on the part of the House and the Senate is so notified by Special Message.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 27, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1312** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO PROVIDE FOR THE ISSUANCE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS UNDER ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

On motion of Representative Culpepper, seconded by Representative Shubert, the House adjourns at 7:37 p.m. to reconvene June 28 at 8:00 a.m.

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**NINETIETH DAY**

HOUSE OF REPRESENTATIVES  
Thursday, June 28, 2001

June 28, 2001

The House meets at 8:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jim Harry, former House Chaplain, Raleigh North Carolina:

"New every morning is Your love for us great God of heaven. Greet us this morning with Your all-encompassing love. Assure us, O Lord, that You love us throughout the days of our lives when we rise, while we work, and when we lie down to rest.

"As we continue our efforts here in this Chamber, pour out Your holy inspiration upon us. Help each one to see with eyes that have had scales removed. Help each one to hear with ears that have been brushed by Your passing our way. Allow each one to speak with lips that have been singed by the power of Your great and abundant Spirit. Grant unto this Body of Representatives an extra measure of Your wisdom in order that they would be more faithful to Thee, to their calling, and to all the people of this great State who have entrusted this Body with their well-being, indeed, with their very lives. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Representatives Esposito, Goodwin, Hiatt, and Hunter are excused for a portion of the session.

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

The following is introduced, read the first time and referred to committee:

By Representative Black:

**H.J.R. 1461**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JACOB WILBERT FORBES, FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

**CONFERENCE REPORT**

Representative Gibson moves the adoption of the following Conference Report.

**Senate Committee Substitute for H.B. 1312**

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1312, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO PROVIDE FOR THE ISSUANCE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS UNDER ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS, TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FUNDING OPTIONS TO IMPROVE ANIMAL WASTE MANAGEMENT SYSTEMS, AND TO DIRECT THE DEPARTMENT OF COMMERCE TO DEVELOP A PLAN TO IDENTIFY AND DEVELOP MARKETS FOR BY-PRODUCTS OF ANIMAL WASTE MANAGEMENT SYSTEMS, Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/21/01, submit the following report:

The House of Representatives and the Senate agree to the following amendments to the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/21/01 and the House of Representatives concurs in the Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/21/01 as amended:

On page 1, lines 7 through 13, rewrite those lines to read:

"AND TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS.";

On page 4, line 31, through page 5, line 11, delete those lines; and renumber the succeeding sections of the bill accordingly.

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

June 28, 2001

Date conferees approved report: 27th June 2001.

*Conferees for the  
Senate*

S/ Charles W. Albertson, Chair  
S/ Fletcher Hartsell, Jr.  
S/ T. Lafontine Odom

*Conferees for the  
House of Representatives*

S/ Pryor A. Gibson, Chair  
S/ Arlie F. Culp  
S/ Joe Hackney  
S/ Dewey L. Hill

The Conference Report, which changes the title, is adopted by electronic vote (94-8), and the Senate is so notified by Special Message.

Representative Fitch requests and is granted permission to be recorded as voting "aye". Representative Allred requests and is granted permission to change his vote from "no" to "aye". The adjusted vote total is (96-7).

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor by Special Message.

## CALENDAR

Action is taken on the following:

**S.B. 80** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Baker, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Brubaker, Buchanan, Capps, Carpenter, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Easterling, Eddins, Edwards, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Guley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Howard, Hurley, Jarrell, Jeffus, Johnson, Justus, Kiser, Lucas, Luebke, McAllister, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Mitchell, Morgan, Morris, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Thompson, Tolson, Tucker,

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Underhill, Wainwright, Walend, Walker, Warren, Warwick, Weatherly, Weiss, West, C. Wilson, G. Wilson, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Esposito and Hiatt - 2.

Representative Smith states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (104-0).

**S.J.R. 362** (Committee Substitute), A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT L. POWELL AS STATE CONTROLLER, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**S.B. 42** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND TO EXTEND EXPIRING PROVISIONS OF LAW, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 217**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE, with a favorable report.

Pursuant to Rule 36(b), Representative Culpepper gives notice and the bill is placed on today's Calendar for immediate consideration.



The bill passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

### **CALENDAR (continued)**

**S.B. 1005** (House Committee Substitute), 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.

Representative Ellis offers Amendment No. 14 which fails of adoption by electronic vote (47-62).

Representative Daughtry offers Amendment No. 15 which is adopted by electronic vote (81-34).

Representative Daughtry withdraws Amendment No. 12 which was temporarily displaced.

Representative C. Wilson offers Amendment No. 16 which is adopted by electronic vote (74-37).

Representative Thompson requests and is granted permission to change his vote from "no" to "aye". Representative Sherrill requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (76-36).

Representative Allred offers Amendment No. 17.

Representative Allred offers perfecting Amendment No. 18, which is adopted by electronic vote (78-33).

Amendment No. 17 is adopted by electronic vote (66-50).

The Speaker stops debate and attends to the following business.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 217**, AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE.

**H.B. 63**, AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS.

**H.B. 1098**, AN ACT TO AMEND THE LAWS CONCERNING CERTAIN TYPES OF DEPOSIT ACCOUNTS IN NORTH CAROLINA TO MAKE THEM MORE UNDERSTANDABLE TO CONSUMERS AND TO MAKE THEM MORE FLEXIBLE IN MEETING CONSUMER PREFERENCES.

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 80**, AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK.

The following resolution is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.J.R. 362**, A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT L. POWELL AS STATE CONTROLLER. (RESOLUTION 2001-22)

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 668**, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF BURGAW AND TO REPEAL PRIOR LOCAL ACTS. (S.L. 2001-247)

### **CALENDAR (continued)**

**S.B. 1005** (House Committee Substitute), 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, is before the Body.

Representative Blue offers Amendment No. 19 which is adopted by electronic vote (62-54).

Representative Ellis offers Amendment No. 20.

Representative Ellis offers perfecting Amendment No. 21 which fails of adoption by electronic vote (49-62).

Amendment No. 20 fails of adoption by electronic vote (48-64).

Representative Pope offers Amendment No. 22 which fails of adoption by electronic vote (36-76).

Representative Daughtry offers Amendment No. 23 which is adopted by electronic vote (63-51).

Representative Sherrill requests and is granted permission to change her vote from "aye" to "no". The adjusted vote total is (62-52).

Representative Adams offers Amendment No. 24 which is adopted by electronic vote (104-1).

Representative Carpenter offers Amendment No. 25 which fails of adoption by electronic vote (51-61).

Representative Shubert offers Amendment No. 26 which is adopted by electronic vote (65-49).

Representative Nesbitt requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (66-49).

Representative Baker offers Amendment No. 27.

On motion of the Chair, the amendment is temporarily displaced.

Representative Redwine offers Amendment No. 28 which is adopted by electronic vote (107-0).

Representative Redwine offers Amendment No. 29.

Representative Redwine offers perfecting Amendment No. 30 which is adopted by electronic vote (108-0).

Amendment No. 29 is adopted by electronic vote (102-11).

The Speaker stops debate and attends to the following business.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **S.B. 42** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND TO EXTEND EXPIRING PROVISIONS OF LAW, is placed on the Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

### **2001 GENERAL ASSEMBLY FIRST SESSION**

#### **SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 28, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 824**, A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION, and requests conferees. The President Pro Tempore appoints:

Senator Rand, Chair  
Senator Plyler  
Senator Hoyle  
Senator Hagan  
Senator Forrester  
Senator Dannelly

June 28, 2001

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

The Speaker appoints Representatives Wright, Redwine, Thompson, Nye, Easterling, and Oldham as conferees on the part of the House and the Senate is so notified by Special Message.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 28, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 243** (House Committee Substitute No. 3), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**REPORTS OF STANDING COMMITTEES AND PERMANENT  
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Saunders and Tolson, Chairs, for the Committee on Science and Technology:

June 28, 2001

**S.B. 1023**, A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM ELECTRONIC TRANSACTIONS ACT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.B. 467**, A BILL TO BE ENTITLED AN ACT RELATING TO THE 19TH HOUSE DISTRICT, with a favorable report as to committee substitute joint resolution, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute joint resolution is placed on the Calendar of July 2. The original bill is placed on the Unfavorable Calendar.

**H.B. 583**, A BILL TO BE ENTITLED AN ACT RELATING TO THE COUNTY OF NASH, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

**H.R. 1458**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOSEPH HEWES, WILLIAM HOOPER, AND JOHN PENN, THE SIGNERS OF THE DECLARATION OF INDEPENDENCE FROM NORTH CAROLINA ON THE TWO HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE ADOPTION OF THAT HISTORIC DOCUMENT BY THE SECOND CONTINENTAL CONGRESS with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of July 2.

**H.J.R. 1460**, A JOINT RESOLUTION HONORING THE FOUNDERS OF JACKSON COUNTY ON THE COUNTY'S SESQUICENTENNIAL ANNIVERSARY, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar of July 2.

**WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Wainwright, **H.B. 1430** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO AUTHORIZE DHHS FACILITY SERVICES FEES; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX, is withdrawn from the Calendar and re-referred to the Committee on Finance.

**RE-REFERRALS**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 617**, A BILL TO BE ENTITLED AN ACT TO FREEZE THE PORTION OF THE HIGHWAY TRUST FUND APPROPRIATED FOR OUTER LOOPS AND TO REDIRECT THOSE FUNDS TO HIGHWAY MAINTENANCE AND PUBLIC TRANSPORTATION, is withdrawn from the Committee on Transportation and re-referred to the Committee on Environment and Natural Resources.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 1439**, A BILL TO BE ENTITLED AN ACT TO ALLOW CREATION OF THE UPPER CAPE FEAR WATER AUTHORITY, is withdrawn from the Committee on Finance and re-referred to the Committee on Environment and Natural Resources.

**CALENDAR (continued)**

**S.B. 1005** (House Committee Substitute), 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, is before the Body.

Amendment No. 27, which was temporarily displaced, is before the Body.

Amendment No. 27 is adopted by electronic vote (107-10).

Representative Redwine offers Amendment No. 31.

Representative Daughtry inquires of the Chair if the amendment is in order under the rules used for the appropriations process. The Speaker rules that the amendment is in order.

Representative Redwine offers perfecting Amendment No. 32 which is adopted by electronic vote (112-2).

Amendment No. 31 is adopted by electronic vote (72-43).

The bill, as amended, passes its third reading, by electronic vote, (91-27), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

### CONFERENCE REPORT

Representative Wright sends forth the Conference Report on House Committee Substitute for **S.B. 824**, A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION. Without objection, the Conference Report is placed on the Calendar for immediate consideration.

Representative Wright moves the adoption of the following Conference Report.

#### **House Committee Substitute for S.B. 824**

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 824, A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION, House Committee Substitute Favorable 6/26/01, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Rules and Operations of the Senate Committee Substitute Adopted 6/21/01, and the House concurs in the Senate Committee Substitute as amended:



Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute S824-CCSLN-1[v.5].

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

Date conferees approved report: June 28, 2001.

*Conferees for the  
Senate*

S/ Anthony E. Rand  
S/ Aaron W. Plyler  
S/ David Hoyle  
S/ Kay R. Hagan  
S/ Charlie S. Dannelly

*Conferees for the  
House of Representatives*

S/ Thomas E. Wright  
S/ David Redwine  
S/ Edd Nye  
S/ Ruth M. Easterling  
S/ Gregory J. Thompson  
S/ Warren C. Oldham

The Conference Report is adopted, by electronic vote (65-45), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 28, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **S.B. 824** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION, and when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

June 28, 2001

Representative Culpepper moves, seconded by Representative Easterling, that the House adjourn, subject to the ratification of bills, to reconvene Monday, July 2, 2001, at 7:00 p.m.

The motion carries.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 42**, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND TO EXTEND EXPIRING PROVISIONS OF LAW.

**S.B. 395**, AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES.

**S.B. 824**, AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION.

**H.B. 983**, AN ACT TO PROVIDE THAT OWNERS OF LAND ASSOCIATED WITH WATERSHED IMPROVEMENT PROJECTS HAVE LIMITED LIABILITY WITH REGARD TO CERTAIN MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES.

**H.B. 1312**, AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO PROVIDE FOR THE ISSUANCE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS UNDER ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), AND TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS.

**CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 534**, AN ACT TO PERMIT THE CITY OF CHARLOTTE TO CONTRACT FOR CERTAIN PUBLIC STORM DRAINAGE SYSTEM AND PUBLIC INTERSECTION OR ROADWAY IMPROVEMENTS WITHOUT COMPLYING WITH THE BID LAWS. (S.L. 2001-248)

**S.B. 80**, AN ACT ANNEXING DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF BRUNSWICK. (S.L. 2001-249)

The House stands adjourned at 6:35 p.m.

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**NINETY-FIRST DAY**

HOUSE OF REPRESENTATIVES  
Monday, July 2, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving Lord, You created us in Your image and gave us life. You blessed us with the capacity to love and the high dignity of free will. You placed us in this world and set us free to discover the power and potential of love, to share in Your creativity, and participate in Your plan for creation. Yet, all too often we forget our dependency upon You and our purpose of creating a world that reflects Your justice and mercy. Be Thou our vision, O God, and keep before us the ideals of equity, compassion, and kindness. May the work we do reflect our noble creation and high calling. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

July 2, 2001

Leaves of absence are granted Representatives Earle, Easterling, Ellis, Harrington, Hiatt, Howard, Hunter, McCombs, Nesbitt, Preston, Russell, Sherrill, Thompson, and West for today.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 42**, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND TO EXTEND EXPIRING PROVISIONS OF LAW. (S.L. 2001-250)

**H.B. 343**, AN ACT REMOVING SUNSET PROVISIONS RELATING TO THE EMPLOYMENT SECURITY LAWS OF NORTH CAROLINA AND MAKING OTHER AMENDMENTS. (S.L. 2001-251)

**S.B. 217**, AN ACT TO EXTEND THE TIME FOR THE NORTH CAROLINA UTILITIES COMMISSION TO ADOPT FINAL RULES REGARDING UNIVERSAL SERVICE (S.L. 2001-252)

**S.B. 824**, AN ACT PERTAINING TO BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN; AND TO HOSPITAL RATES UNDER WORKERS' COMPENSATION. (S.L. 2001-253)

**H.B. 1312**, AN ACT TO EXTEND THE MORATORIA ON CONSTRUCTION OR EXPANSION OF SWINE FARMS, TO PROVIDE FOR THE ISSUANCE OF GENERAL PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS UNDER ARTICLE 21 OF CHAPTER 143 OF THE GENERAL STATUTES AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), AND TO EXTEND THE PILOT PROGRAM FOR INSPECTION OF ANIMAL WASTE MANAGEMENT SYSTEMS. (S.L. 2001-254)

**S.B. 1075**, AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL GIFT ACT. (S.L. 2001-255)

**H.B. 998**, AN ACT TO PROVIDE UNDER STATE LAW A MIRROR AS TO FEDERAL LAW ON WHEN A SOCIAL SECURITY NUMBER CAN BE REQUIRED TO BE PROVIDED. (S.L. 2001-256)

**H.B. 689**, AN ACT TO AUTHORIZE TENNESSEE VALLEY AUTHORITY OFFICERS TO PROVIDE ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE SAME MANNER AS OTHER FEDERAL LAW ENFORCEMENT OFFICERS AND TO INCLUDE ALEXANDER COUNTY AMONG THOSE COUNTIES IN WHICH VACANCIES IN THE OFFICE OF SHERIFF ARE FILLED THROUGH CONSULTATION WITH THE POLITICAL PARTY OF THE PREVIOUS SHERIFF. (S.L. 2001-257)

**H.B. 109**, AN ACT TO AUTHORIZE REIMBURSEMENT FOR LICENSED MARRIAGE AND FAMILY THERAPISTS UNDER THE STATE HEALTH PLAN FOR THE TREATMENT OF MENTAL HEALTH AND CHEMICAL DEPENDENCY. (S.L. 2001-258)

**H.B. 1342**, AN ACT TO PROVIDE FOR TIME LIMITS FOR NOTIFICATION OF LEASED VEHICLE PARKING VIOLATIONS AND THE APPLICABILITY OF THE PRIMA FACIE RULE OF EVIDENCE. (S.L. 2001-259)

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
June 28, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 1005**, 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, and requests conferees. The President Pro Tempore appoints:

Senator Plyler, Co-Chair  
Senator Odom, Co-Chair  
Senator Lee, Co-Chair  
Senator Gulley  
Senator Dalton  
Senator Garrou  
Senator Lucas  
Senator Warren

Senator Hoyle  
Senator Kerr  
Senator Albertson  
Senator Carter  
Senator Clodfelter  
Senator Dannelly  
Senator Harris  
Senator Hagan

July 2, 2001

Senator Bill Martin  
Senator Reeves  
Senator Jordan  
Senator Bob Martin  
Senator Ballance  
Senator Rand

Senator Metcalf  
Senator Purcell  
Senator Weinstein  
Senator Miller  
Senator Wellons

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for **H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

Senate Committee Substitute for **H.B. 218** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL COMMODITIES OR PRODUCTION SYSTEMS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 440** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA, is returned for concurrence in Senate amendments.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 980** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**H.B. 1041** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**S.B. 680** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS AND TO AMEND THE LAWS REGARDING GUN SHOWS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

## CALENDAR

Action is taken on the following:

**H.J.R. 467** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NEILL MCKAY ROSS, FORMER MEMBER OF THE GENERAL ASSEMBLY, is moved up on today's Calendar.

The resolution passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Cox and without objection, the Conference Report on **H.B. 722** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE, is withdrawn from the Calendar and placed on the Calendar of July 4.

### **CONFERENCE REPORT**

Representative Baddour moves the adoption of the following Conference Report.

#### **House Committee Substitute for S.B. 243**

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 243, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT, Eighth Edition Engrossed 6/14/01, submit the following report:

The Senate and House agree to the following amendment to the House Committee Substitute, Eight Edition Engrossed 6/14/01, and the Senate concurs in the House Committee Substitute as amended:

Delete the entire House Committee Substitute and substitute the attached Proposed Conference Committee Substitute S243-PCCS6741-SB-1.

July 2, 2001



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

Date conferees approved report: June 27, 2001.

*Conferees for the  
Senate*

S/ Aaron W. Plyler, Chair  
S/ Patrick J. Ballantine  
S/ Fletcher L. Hartsell, Jr.  
S/ William R. Purcell

*Conferees for the  
House of Representatives*

S/ Philip A. Baddour, Jr., Chair  
S/ J. Samuel Ellis  
S/ William E. McMahan  
S/ Paul Miller  
S/ Jennifer Weiss

The Conference Report, which changes the title, is adopted, by electronic vote (63-38), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

**CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 334**, A BILL TO BE ENTITLED AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYMENT STUDENT INTERNS OF THE NORTH CAROLINA INTERNSHIP COUNCIL.

On motion of Representative Luebke, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (99-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 643** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH AGENTS OF RAPE CRISIS CENTERS AND DOMESTIC VIOLENCE PROGRAMS.

On motion of Representative Hackney, the House concurs in the Senate committee substitute bill, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 884** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE AND TO AMEND THE LAW PROVIDING COMPENSATION TO THE PERSON FOR A WRONGFUL CONVICTION.

On motion of Representative Blue, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (102-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 269** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF INVESTMENT ADVISER REPRESENTATIVE; TO ALLOW MULTIPLE REGISTRATION OF INVESTMENT ADVISER REPRESENTATIVES FOR CERTAIN PURPOSES; AND TO REVISE THE REGISTRATION AND NOTICE FILING PROCEDURES, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 367** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN.

Representative C. Wilson offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its second reading by electronic vote (93-8).

Representative Gibson objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS.

On motion of Representative Hurley and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 3.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 746** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, AND TO MAKE CONFORMING CHANGES.

Representative Haire offers Amendment No. 1.

On motion of the Chair and without objection, the bill with pending amendment is temporarily displaced.

**H.R. 1458**, A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JOSEPH HEWES, WILLIAM HOOPER, AND JOHN PENN, THE SIGNERS OF THE DECLARATION OF INDEPENDENCE FROM NORTH CAROLINA ON THE TWO HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE ADOPTION OF THAT HISTORIC DOCUMENT BY THE SECOND CONTINENTAL CONGRESS.

The resolution is adopted, by electronic vote (101-0), and ordered printed.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT.

Representative Capps offers Amendment No. 1.

On motion of the Chair, the amendment is temporarily displaced.

Representative Blue offers Amendment No. 2 which is adopted by electronic vote (101-0).

On motion of the Chair, the bill with pending Amendment No. 1 is temporarily displaced.

**H.J.R. 1460**, A JOINT RESOLUTION HONORING THE FOUNDERS OF JACKSON COUNTY ON THE COUNTY'S SESQUICENTENNIAL ANNIVERSARY, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

**H.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (98-0).

The Speaker stops debate and attends to the following business.

### INTRODUCTION OF PAGES

Pages for the week of July 2 are introduced to the membership. They are: Curtis Arledge of Buncombe; William Arledge, III, of Buncombe; Allison Beck of Randolph; Ekta Bhatia of Wake; Christopher Carelas of Wake; Caroline Chewning of Pasquotank; Blair DeGraw of Guilford; George Hall, II, of Alamance; Caroline Hightower of Anson; Jennifer Holland of Randolph; Chuck Kistler of Cleveland; Lauren Knish of Wake; Dewarren Langlely of Durham; Shelley Lucas of Wake; Whitney Marshall of Guilford; Joyce Pope of Wake; Kimberly Reese of Durham; Meredith Silas of Haywood; Jonathan Trogdon of Cumberland; Brenton West of Chatham; and Christopher Aaron West of Chatham.

Honorary Page for the week is Melanie Houston of Duplin.

### CALENDAR (continued)

**H.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT, is before the Body.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Alexander, Allred, Baddour, Barbee, Barefoot, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Church, Coates, Cole, J. Crawford, Culpepper, Cunningham, Dedmon, Dockham, Edwards, Fox, Gibson, Gillespie, Goodwin, Hackney, Haire, Hill, Holliman, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Miller, Miner, Mitchell, Morris, Oldham, Rogers, Saunders, Shubert, Tolson, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, C. Wilson, Wright, and Yongue - 56.

Voting in the negative: Representatives Adams, Baker, Brubaker, Buchanan, Capps, Carpenter, Cox, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Eddins, Esposito, Fitch, Grady, Gulley, Hall, Hensley, Hilton, Johnson, Justus, Kiser, Michaux, Morgan, Nye, Owens, Pope, Rayfield, Redwine, Setzer, Sexton, Smith, Starnes, Sutton, Teague, Tucker, Walend, Warwick, G. Wilson, and Womble - 42.

Excused absences: Representatives Earle, Easterling, Ellis, Harrington, Hiatt, Howard, Hunter, McCombs, Nesbitt, Preston, Russell, Sherrill, Thompson, and West - 14.

**S.B. 746** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ENHANCED SENTENCES AS RECOMMENDED BY THE SENTENCING COMMISSION, AND TO MAKE CONFORMING CHANGES, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (95-1).

On motion of Representative Fitch, the bill, as amended, is withdrawn from the Calendar, by electronic vote (52-40), ordered engrossed, and referred to the Committee on Judiciary II.

On motion of Representative Culpepper, seconded by Representative Haire, the House adjourns at 9:34 p.m. to reconvene July 3 at 2:00 p.m.

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## NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 3, 2001

July 3, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, faith is more than affirming the right dogma or assenting to proper tenets - faith is a way of life, a life lived in a conscious relationship with You and in loving compassion with our neighbor. Grant us Your grace that we might not only adhere to sound doctrine, but that we might live in the right way. Instruct us to use our words for affirmation and not censure. Teach us to live for others and not merely for ourselves. Train us to judge with mercy and not condemnation. Open to us the way of forgiveness and not the path of vengeance. May our theology be more than mind and mouth, may it be our mode of being. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Easterling, Hiatt, Howard, McCombs, and West for today. Representatives Ellis and Thompson are excused for a portion of the session.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 269**, AN ACT TO AMEND THE DEFINITION OF INVESTMENT ADVISER REPRESENTATIVE; TO ALLOW MULTIPLE REGISTRATION OF INVESTMENT ADVISER REPRESENTATIVES FOR CERTAIN PURPOSES; AND TO REVISE THE REGISTRATION AND NOTICE FILING PROCEDURES.

**H.B. 334**, AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYER GOVERNMENTAL EMPLOYERS WHO HIRE INTERNS.

**H.B. 643**, AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH AGENTS OF RAPE CRISIS CENTERS AND DOMESTIC VIOLENCE PROGRAMS.

**H.B. 884**, AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE.

### CHAPTERED BILLS

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 532**, AN ACT TO CLARIFY THE RIGHT TO APPEAL TO A LOCAL BOARD OF EDUCATION, AND TO REQUIRE NOTICE OF THE DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF NON-CERTIFIED EMPLOYEES. (S.L. 2001-260)

### REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 868** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NAVASSA, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

**S.B. 628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING OUT-OF-STATE CERTIFIED PUBLIC ACCOUNTANTS TO NOTIFY THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS WHEN THEY PERFORM WORK IN THIS STATE, AUTHORIZING THE BOARD TO INCREASE FEES, AND AMENDING CERTAIN PROVISIONS RELATING TO CERTIFIED PUBLIC ACCOUNTANTS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Goodwin, Chair, for the Committee on Judiciary III:

**S.B. 649**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSPICUOUS DISCLOSURE OF MOTOR VEHICLE DEALER ADMINISTRATIVE FEES AND FINANCE YIELD CHARGES AND TO INCREASE DEALER SURETY BOND PROTECTION, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 836**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

#### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**H.B. 968** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**S.B. 842** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA BUSINESS CORPORATION ACT, THE NORTH CAROLINA NONPROFIT



CORPORATION ACT, THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT, AND THE LAWS GOVERNING PARTNERSHIPS, is read the first time and referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CHEROKEE, CURRITUCK, GRAHAM, HAYWOOD, JACKSON, MADISON, PASQUOTANK, PERQUIMANS, SWAIN, VANCE, AND WARREN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

On motion of Representative Haire and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 598** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS.

On motion of Representative McMahan, the House concurs in the Senate committee substitute bill, by electronic vote (108-0), and the bill is ordered enrolled and presented to the Governor.

**S.B. 653** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE LOCAL MODIFICATIONS IN THE FOOTHILLS REGION CONCERNING AIRPORTS AND IN MITCHELL COUNTY CONCERNING ELECTIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Barnhart, Bell, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter,

Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Holmes, Hurley, Insko, Jarrell, Jeffus, Johnson, Kiser, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Preston, Rayfield, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, and Yongue - 101.

Voting in the negative: Representatives Baker, Davis, Decker, and Setzer - 4.

Excused absences: Representatives Arnold, Easterling, Hiatt, Howard, McCombs, Thompson, and West - 7.

**H.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT.

Representative Hensley offers Amendment No. 3 which is adopted by electronic vote (105-2).

On motion of Representative Decker and without objection, the bill is temporarily displaced.

**S.B. 367** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN.

On motion of the Chair and without objection, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 365** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR AD VALOREM TAXES AND TO ALLOW

COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

**H.B. 942** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCKSMITH LICENSING ACT, which was temporarily displaced, is before the Body.

Representative Decker offers Amendment No. 4 which is adopted by electronic vote (110-0).

Representative Morgan offers Amendment No. 5 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barefoot, Bell, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Church, Clary, Coates, Cole, J. Crawford, M. Crawford, Culpepper, Cunningham, Decker, Dedmon, Dockham, Earle, Edwards, Ellis, Esposito, Fox, Gibson, Gillespie, Goodwin, Gray, Gulley, Hackney, Haire, Hensley, Hill, Hilton, Holliman, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McLawhorn, McMahan, Miller, Miner, Morgan, Morris, Nesbitt, Oldham, Preston, Redwine, Rogers, Russell, Saunders, Sexton, Shubert, Smith, Teague, Tolson, Underhill, Wainwright, Walker, Warner, Warren, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 79.

Voting in the negative: Representatives Baker, Barnhart, Blust, Capps, Carpenter, Cox, Culp, Daughtry, Davis, Eddins, Fitch, Grady, Hall, Harrington, Holmes, Hunter, Kiser, McComas, Michaux, Mitchell, Nye, Owens, Pope, Rayfield, Setzer, Starnes, Sutton, Thompson, Tucker, Walend, and Warwick - 31.

Excused absences: Representatives Arnold, Easterling, Hiatt, Howard, McCombs, and West - 6.

**S.B. 367** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA

HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN, which was temporarily displaced, is before the Body.

Representative Daughtry offers Amendment No. 2 which fails of adoption by electronic vote (53-56).

The bill passes its third reading, by electronic vote (99-10), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

**S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS, passes its second reading by electronic vote (59-50).

Representative Starnes objects to the third reading. The bill remains on the Calendar.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representative Allred, Chair, for the Committee on Ways and Means:

**S.B. 471**, A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 4. The original bill is placed on the Unfavorable Calendar.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 1005** (House Committee Substitute), 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: Representatives Easterling, Oldham, Redwine, and Thompson, Chairs; Representatives Allen, Baddour, Boyd-McIntyre, Buchanan, Cole, J. Crawford, Culpepper, Dedmon, Earle, Esposito, Fox, Gulley, Hackney, Haire, Jeffus, Justus, Luebke, Miner, Morgan, Nye, Owens, Rogers, Sherrill, Smith, Tolson, Tucker, Wainwright, Wright, and Yongue.

The Senate is so notified by Special Message.

### CALENDAR (continued)

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 108** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CAMDEN, CHEROKEE, CURRITUCK, GRAHAM, HAYWOOD, JACKSON, MADISON, PASQUOTANK, PERQUIMANS, SWAIN, VANCE, AND WARREN COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

Representative Haire moves that the House concur in the Senate committee substitute bill.

On motion of Representative Haire and without objection, the bill is temporarily displaced.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 352** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND TO ADDITIONAL REAL PROPERTY THE LIEN THAT ATTACHES IF A PERSON FAILS TO REMEDY A PUBLIC HEALTH

NUISANCE: Representative Baddour, Chair; Representatives Haire, Miller, and Justus.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 3:27 p.m. to reconvene July 4 at 10:00 a.m.

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## NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES  
Wednesday, July 4, 2001

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Gracious God, we pause especially this day to offer thanksgiving for the gift of this country and our life within it. We are grateful for all who have given their energy, wisdom, and even their lives for its establishment and preservation. Grant that we, who live in their legacy, may continue the pursuit of making the ideals of freedom and liberty a reality in the lives of all citizens. May our work be blessed by Your guidance, that we might create the conditions allowing for fullness of life, freedom from prejudice and oppression, and the pursuit of worthwhile dreams and goals. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Arnold, Dedmon, Easterling, Ellis, Goodwin, Howard, McCombs, Preston, Russell, Sherrill, and West for today. Representatives Barefoot and Sutton are excused for a portion of the session.

## ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

July 4, 2001

**S.B. 243**, AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT.

**S.B. 365**, AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR AD VALOREM TAXES AND TO ALLOW COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING.

**H.B. 598**, AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Hackney, Chair, for the Committee on Judiciary I:

**S.B. 173** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 476** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PLACE ALL OF THE GREENSBORO 19 PRECINCT IN SUPERIOR COURT DISTRICT 18D, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Boyd-McIntyre and Hunter, Chairs, for the Committee on Children, Youth and Families:

**S.B. 715**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COLLABORATION BETWEEN THE DIVISION OF SOCIAL SERVICES AND THE COMMISSION OF INDIAN AFFAIRS AND THE NORTH CAROLINA DIRECTORS OF SOCIAL SERVICES ASSOCIATION ON INDIAN CHILD WELFARE ISSUES, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
July 3, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that Senator Robinson has been added as a conferee on **S.B. 1005** (House Committee Substitute), 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.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**CONFERENCE REPORT**

Representative Cox moves the adoption of the following Conference Report.

July 4, 2001



**Senate Committee Substitute for H.B. 722**

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

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 722, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE, Senate Commerce Committee Substitute Adopted 6/6/01, submit the following report:

The House concurs in the Senate Committee Substitute and the House and Senate agree to the following amendments:

On page 1, lines 18 through 23, by rewriting those lines to read:

"The Lieutenant Governor, The General Assembly, upon the recommendation of the President Pro Tempore of the Senate, shall appoint to the Board one member who shall have been a resident of and licensed to practice veterinary medicine in this State for not less than five years preceding his the appointment. The General Assembly, upon the recommendation of the Speaker of the House of Representatives, shall appoint to the Board one member who shall have been a legal resident of and registered as a veterinary technician in this State for not less than five years preceding the appointment."

On page 2, lines 5 and 6, by deleting "President Pro Tempore of the Senate" and substituting "General Assembly, upon the recommendation of the Speaker of the House of Representatives,";

On page 2, line 3, by adding the following between lines 3 and 4 and renumbering the succeeding sections accordingly:

**"SECTION 2.** G.S. 20-182(c) reads as rewritten:

'(c) All members serving on the board on June 30, 1981, shall complete their respective terms. The Governor shall appoint the public member not later than July 1, 1981. No member appointed to the Board by the Governor, ~~Lieutenant Governor or Speaker of the House of Representatives~~ Lieutenant Governor, Speaker of the House of Representatives, or General Assembly on or after July 1, 1981, shall serve more than two complete consecutive five-year terms, except that each member shall serve until his successor is appointed and qualifies."

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

Date conferees approved report: June 25, 2001.

*Conferees for the  
Senate*

S/ R. C. Soles, Jr., Chair  
S/ Aaron W. Plyler  
S/ Robert C. Carpenter

*Conferees for the  
House of Representatives*

S/ A. Leslie Cox, Jr., Chair  
S/ Marian N. McLawhorn  
S/ Russell E. Tucker  
S/ John Weatherly

The Conference Report, which changes the title, is adopted, by electronic vote (101-1), and the Senate is so notified by Special Message.

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1068** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM.

On motion of Representative Nye, the House does not concur in the Senate committee substitute bill, by electronic vote (100-0), and conferees are requested.

The Speaker appoints Representative Nye, Chair; Representatives Edwards and Sherrill as conferees on the part of the House and the Senate is so notified by Special Message.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1111** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXPAND THE POWERS AND DUTIES OF THE SOIL AND

July 4, 2001

WATER CONSERVATION COMMISSION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INCLUDE DEVELOPMENT AND IMPLEMENTATION OF A PROGRAM TO APPROVE WATER QUALITY AND ANIMAL WASTE MANAGEMENT SYSTEM TECHNICAL SPECIALISTS AND DEVELOPMENT AND APPROVAL OF WATER QUALITY BEST MANAGEMENT PRACTICES.

On motion of Representative Culp, the House concurs in the Senate committee substitute bill, by electronic vote (99-4), and the bill is ordered enrolled and presented to the Governor.

**H.B. 108** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.

On motion of Representative Haire, the House does not concur in the Senate committee substitute bill, by electronic vote (102-1), and the Senate is so notified by Special Message.

**S.B. 653** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE LOCAL MODIFICATIONS IN THE FOOTHILLS REGION CONCERNING AIRPORTS AND IN MITCHELL COUNTY CONCERNING ELECTIONS, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barbee, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dockham, Earle, Eddins, Edwards, Esposito, Fox, Gibson, Gillespie, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Hilton, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McAllister, McComas, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Pope, Redwine, Rogers, Saunders, Setzer, Sexton, Shubert, Smith, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weatherly, Weiss, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 95.

Voting in the negative: Representatives Baker, Creech, Davis, Decker, Kiser, and Rayfield - 6.

Excused absences: Representatives Arnold, Barefoot, Dedmon, Easterling, Ellis, Goodwin, Howard, McCombs, Preston, Russell, Sherrill, and West -12.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 559** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Hurley and without objection, **S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS, is withdrawn from the Calendar and placed on the Calendar of July 10.

#### **CALENDAR (continued)**

**S.B. 471** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, AND TO ALLOW A CERTAIN TOWN TO EXERCISE PLANNING JURISDICTION OVER A DESCRIBED AREA SUBJECT TO A REFERENDUM.

On motion of Representative Allred, the bill is temporarily displaced.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 1023** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REVISE THE UNIFORM ELECTRONIC TRANSACTIONS ACT, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

**S.B. 471** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, AND TO ALLOW A CERTAIN TOWN TO EXERCISE PLANNING JURISDICTION OVER A DESCRIBED AREA SUBJECT TO A REFERENDUM, which was temporarily displaced, is before the Body.

Representative Sexton moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Local Government II.

Representative Allred moves that the bill be withdrawn from the Calendar and placed on the Calendar of July 10.

Without objection, the motion carries.

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1430** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO AUTHORIZE DHHS FACILITY SERVICES FEES; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

### CONFEREES APPOINTED

The Speaker announces the following conferees on **H.B. 108** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY: Representatives Haire, Hackney, Baddour, and Buchanan.

The Senate is so notified by Special Message.

On motion of Representative Culpepper, seconded by Representative Thompson, the House adjourns at 11:03 a.m. to reconvene July 5 at 9:00 a.m.

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## NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, July 5, 2001

The House meets at 9:00 a.m. pursuant to adjournment and is called to order by the Speaker Pro Tempore.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Loving Lord, for the capacity to love which ennobles our existence and brings meaning to our lives we offer our thanksgiving. It is in our imitation of Your love that we find our true selves and bring glory to You,

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our Creator. Help us to use wisely the gift of love that we might enjoy the fullness of the life You give to us. Make us better husbands and wives, sons and daughters, fathers and mothers, friends and associates. Inspire us to love as You love, to move beyond our comfort zones and love our enemies, bless those who curse us, and pray for those who revile us. Open our eyes to the need of persons around us and open our hearts to offer compassionate service to those in need. In our words and in our actions, may we reflect the love of our heavenly Father. Amen."

Representative Weiss, reports the Journal of July 4 has been examined and found correct. Upon her motion, the Journal is approved as written.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**H.B. 75**, AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT.

**H.B. 722**, AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE.

**H.B. 1111**, AN ACT TO EXPAND THE POWERS AND DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INCLUDE DEVELOPMENT AND IMPLEMENTATION OF A PROGRAM TO APPROVE WATER QUALITY AND ANIMAL WASTE MANAGEMENT SYSTEM TECHNICAL SPECIALISTS AND DEVELOPMENT AND APPROVAL OF WATER QUALITY BEST MANAGEMENT PRACTICES.

On motion of Representative Weiss, seconded by Representative Owens, the House adjourns at 9:05 a.m. to reconvene Monday, July 9, 2001, at 7:00 p.m.

**NINETY-FIFTH DAY**

HOUSE OF REPRESENTATIVES  
Monday, July 9, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Almighty God, as the psalmist warned Israel, so he warns us: 'Unless the Lord build the house, those who build it labor in vain.' Be with us in our discussions and decisions, guiding our thoughts, directing our debates, and leading our legislation. May our creative endeavors reflect Your disposition towards life in its fullness and fairness. May our treatment of others honor their dignity as fellow brothers and sisters, children of our heavenly Father. May our lives reflect the same compassion and mercy which You lavish upon us. Build within us a sense of Your presence and peace that we might become fellow laborers in building Your kingdom around us. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Arnold, Blue, Brubaker, Easterling, Hiatt, Hunter, McAllister, McComas, Nesbitt, Redwine, Sexton, Thompson, Weatherly, and Wright for today.

**ENROLLED BILL**

The following bill is duly ratified and presented to the Governor:

**H.B. 307, AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY**

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LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD.

### CHAPTERED BILLS

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 408**, AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS IN THEIR EXTRATERRITORIAL JURISDICTION. (S.L. 2001-261)

**S.B. 823**, AN ACT TO PROMOTE THE NORTH CAROLINA GRAPE AND WINE INDUSTRY. (S.L. 2001-262)

**S.B. 860**, AN ACT TO AUTHORIZE THE CHARTERING OF INDEPENDENT TRUST COMPANIES, TO PERMIT BANKS AND TRUST COMPANIES TO CONDUCT TRUST BUSINESS ON AN INTERSTATE BASIS, AND TO MODIFY THE RESIDENCY REQUIREMENTS FOR A BANK'S BOARD OF DIRECTORS. (S.L. 2001-263)

**H.B. 1448**, AN ACT TO PROVIDE UNIFORM PENALTIES FOR LOCAL MEALS TAXES. (S.L. 2001-264)

**H.B. 1062**, AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE MANAGEMENT OF WHITE GOODS. (S.L. 2001-265)

**S.B. 9**, AN ACT TO APPOINT MEMBERS TO THE VIRGINIA-NORTH CAROLINA INTERSTATE HIGH-SPEED RAIL COMMISSION. (S.L. 2001-266)

**H.B. 1098**, AN ACT TO AMEND THE LAWS CONCERNING CERTAIN TYPES OF DEPOSIT ACCOUNTS IN NORTH CAROLINA TO MAKE THEM MORE UNDERSTANDABLE TO CONSUMERS AND TO MAKE THEM MORE FLEXIBLE IN MEETING CONSUMER PREFERENCES. (S.L. 2001-267)

**H.B. 63**, AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHILE THEY ARE BICYCLE OPERATORS OR PASSENGERS. (S.L. 2001-268)

**H.B. 356**, AN ACT TO UPDATE THE BOND REQUIREMENTS FOR COLLECTION AGENCIES; TO CLARIFY THE DEFINITION OF COLLECTION AGENCY; TO REQUIRE NONRESIDENT COLLECTION AGENCIES TO POST A SECOND BOND FOR EXPENSES INCURRED BY THE STATE IN A RECEIVERSHIP PROCEEDING INVOLVING THE COLLECTION AGENCY; TO CONFORM THE LAW ON DECEPTIVE REPRESENTATION BY COLLECTION AGENCIES TO FEDERAL LAW; TO MAKE TECHNICAL CORRECTIONS; TO ALLOW BAIL BONDSMEN TO CREATE SHARED TRUST ACCOUNTS; TO CODIFY AN ADMINISTRATIVE RULE ON BONDSMEN AFFIDAVITS; AND TO AUTHORIZE THE COMMISSIONER TO DENY LICENSE RENEWALS TO PROFESSIONAL BONDSMEN UNTIL THEY CURE DEPOSIT DEFICIENCIES. (S.L. 2001-269)

**S.B. 395**, AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE LAWS REGULATING PLUMBING AND HEATING CONTRACTORS AND TO AUTHORIZE THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS TO INCREASE FEES. (S.L. 2001-270)

**S.B. 681**, AN ACT TO AMEND THE LAW GOVERNING JUDICIAL SALES AND EXECUTION SALES TO PROVIDE FOR A ROLLING UPSET BID PROCEDURE AND TO CONFORM THE TIME PERIODS FOR POSTING AND PUBLISHING NOTICE OF SALE TO THE LAW GOVERNING FORECLOSURE SALES UNDER A POWER OF SALE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. (S.L. 2001-271)

**H.B. 983**, AN ACT TO PROVIDE THAT OWNERS OF LAND ASSOCIATED WITH WATERSHED IMPROVEMENT PROJECTS HAVE LIMITED LIABILITY WITH REGARD TO CERTAIN MEMBERS OF THE PUBLIC ENTERING THE LAND FOR EDUCATIONAL AND RECREATIONAL PURPOSES. (S.L. 2001-272)

**S.B. 269**, AN ACT TO AMEND THE DEFINITION OF INVESTMENT ADVISER REPRESENTATIVE; TO ALLOW MULTIPLE REGISTRATION OF INVESTMENT ADVISER REPRESENTATIVES FOR CERTAIN PURPOSES; AND TO REVISE THE REGISTRATION AND NOTICE FILING PROCEDURES. (S.L. 2001-273)

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

July 9, 2001

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**H.B. 823**, A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRA-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 275** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

Senate Committee Substitute for **H.B. 831** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A GREATER ROLE FOR THE STATE BOARD OF ELECTIONS IN PERSONNEL DECISIONS CONCERNING COUNTY ELECTION DIRECTORS; TO ENHANCE THE CERTIFICATION PROGRAM FOR ELECTION OFFICIALS; TO REMOVE LIMITATIONS ON TWO PROVISIONS CONCERNING PRECINCTS; TO CHANGE THE LENGTH OF THE ONE-STOP VOTING PERIOD; TO ALLOW COUNTY BOARDS OF ELECTIONS, WITH STATE BOARD APPROVAL, TO USE OTHER ONE-STOP SITES INSTEAD OF THE COUNTY BOARD OFFICE; TO ALLOW LATER ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS; TO PROVIDE FOR ELECTRONIC TRANSFER OF VOTER REGISTRATION APPLICATIONS FROM THE DIVISION OF MOTOR VEHICLES; TO UPDATE THE STATUTES CONCERNING VOTER REGISTRATION LIST MAINTENANCE; TO APPLY THE WRITE-IN STATUTE TO SUPERIOR COURT JUDGE ELECTIONS; TO CORRECT A REFERENCE IN THE

CAMPAIGN FINANCE LAW; AND TO RENAME THE EXECUTIVE SECRETARY-DIRECTOR OF THE STATE BOARD OF ELECTIONS THE "EXECUTIVE DIRECTOR", is returned for concurrence in Senate committee substitute bill and referred to the Committee on Election Law and Campaign Finance Reform.

Upon concurrence, the Senate committee substitute bill changes the title.

**H.B. 1067** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar of July 10.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 31** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN CERTIFIED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DATE ELECTORS ARE TO MEET.

On motion of Representative Goodwin, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (91-5), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

Senate Committee Substitute for **H.B. 218** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL COMMODITIES OR PRODUCTION SYSTEMS.

On motion of Representative Hill, the House concurs in the Senate committee substitute bill, which changes the title, by electronic vote (96-1), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 440** (Committee Substitute # 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA.

On motion of Representative Weiss, the House concurs in Senate Amendment No. 1, by electronic vote (97-0).

On motion of Representative Weiss, the House concurs in Senate Amendment No. 2, by electronic vote (98-0), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 980** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE.

On motion of Representative Lucas, the House concurs in the Senate committee substitute bill, by electronic vote (98-1), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1041** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH.

On motion of Representative Lucas, the House concurs in the Senate committee substitute bill, by electronic vote (72-27), and the bill is ordered enrolled and presented to the Governor.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 649**, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSPICUOUS DISCLOSURE OF MOTOR VEHICLE DEALER ADMINISTRATIVE FEES AND FINANCE YIELD CHARGES AND TO INCREASE DEALER SURETY

BOND PROTECTION, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Rules, Calendar, and Operations of the House.

### INTRODUCTION OF PAGES

Pages for the week of July 9 are introduced to the membership. They are: Vanessa Barton of Duplin; Brian Briley of Columbus; Laura Broderick of Washington; Philip Burford of New Hanover; Heather Creecy of Gates; Tabitha Christie Davis of Madison; Kelly Hamilton of Montgomery; Kyle Hamilton of Montgomery; Heather Leiber of Randolph; Brandon Mabry of Cleveland; Camellia McLean of Wake; Amisha Patel of Cumberland; Sean Palmer of Wake; Stephen Rodgers of Durham; Jasmine Rose of Cumberland; Walter Shepherd, Jr., of Martin; Justin Smith of Columbus; Chad Walker of Wilkes; James McSherry Wells of Carteret; Jason Wells of Wake; and Daniel Shea Wines, Jr., of Wayne.

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.J.R. 833**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN LAWSON ON THE 300TH ANNIVERSARY OF HIS FIFTY-SEVEN DAY FIVE HUNDRED FIFTY-MILE TREK THROUGH THE BACKCOUNTRY OF THE CAROLINAS, is withdrawn from the Committee on Education and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 7:24 p.m. to reconvene July 10 at 2:00 p.m.

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## NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 10, 2001

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Charles L. Herrin, Longview United Methodist Church, Raleigh, North Carolina.

"O Lord God, we offer this day our thanksgiving for Your wondrous mercies and love as we have been brought to this place. Grant divine peace that each may find comfort in Your presence to do the work of this Assembly. Lead all in this Assembly so that truth shall be known in all deliberations. Grant knowledge that each may seek wise counsel in all concerns and decisions made in this place. Guide each through the various presentations such that justice will be sought for all persons. Grant divine wisdom that each may enable all others to find merciful and graceful living. Lead us to exhibit mercy such that compassion for all persons will be our hallmark. Enable our hopes that future generations will see and know not only of our seeking but our performance to aid and secure all persons in their search for wholeness. Grant us divine hope that we may never fail to be servants of all Your creation. This we pray as those who are called to be Your agents for life in safety and comfort and peace for all people. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, J. Crawford, Easterling, and Hiatt for today.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 1023**, AN ACT TO REVISE THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

**H.B. 31**, AN ACT TO PROVIDE FOR SELECTION OF PRESIDENTIAL ELECTORS BY THE GENERAL ASSEMBLY IF THE ELECTION RESULTS HAVE NOT BEEN PROCLAIMED BY THE SIXTH DAY BEFORE ELECTORS ARE TO MEET, AND BY THE GOVERNOR IF ELECTORS HAVE NOT BEEN SELECTED BY THE DAY BEFORE ELECTORS ARE TO MEET.

**H.B. 218**, AN ACT TO PROVIDE FOR DOUBLE DAMAGES FOR THE INJURY TO, OR THE DESTRUCTION OF, AGRICULTURAL COMMODITIES OR PRODUCTION SYSTEMS.

**H.B. 440**, AN ACT TO AMEND THE EMBALMERS AND FUNERAL DIRECTORS LAW OF NORTH CAROLINA.

**H.B. 980**, AN ACT TO ALLOW CHILDREN OF A VOTER TO ACCOMPANY THE VOTER INTO THE VOTING ENCLOSURE.

**H.B. 1041**, AN ACT TO REQUIRE THAT BALLOT INSTRUCTIONS BE PRINTED IN SPANISH AS WELL AS ENGLISH.

### **ENROLLED BILLS**

The following bill is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**S.B. 559**, AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**S.B. 729**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTORCYCLE INSURANCE RATES ARE SET IN ACCORDANCE WITH THE LAW REGULATING INSURANCE RATES RATHER THAN ESTABLISHED BY THE NORTH CAROLINA RATE BUREAU, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.



By Representative Baddour, Chair, for the Committee on Judiciary II:

**S.B. 278** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF SECOND OR SUBSEQUENT OFFENSES INVOLVING THE THEFT OF MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSES REVOKED, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DRUG OFFENSES COMMITTED AT OR NEAR CHILD CARE CENTERS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 690**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT SO AS TO CLARIFY THAT THE CHANCELLOR REPRESENTS THE INTEREST OF A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 270**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DALE EARNHARDT, LEGENDARY STOCK CAR RACER, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

**H.J.R. 1461**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JACOB WILBERT FORBES, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report as to the committee substitute resolution, unfavorable as to the original resolution.

Pursuant to Rule 36(b), the committee substitute resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**S.B. 247** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALLOCATE THE PROCEEDS OF THE CLEAN WATER BONDS AND TO DELAY ISSUANCE OF THE BONDS, is read the first time and referred to the Committee on Finance.

**S.B. 817** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE BUILDING CODE REGARDING DOOR LOCK REQUIREMENTS IN CERTAIN SITUATIONS, is read the first time and referred to the Committee on Finance.

### CONFEREES APPOINTED

The Speaker announces the following additional conferees on **S.B. 353** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE A PERMANENT MECHANISM FOR THE COLLECTION OF TAX DEBTS: Representatives Easterling, Oldham, Redwine, and Thompson.

The Senate is so notified by Special Message.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 593** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS.

On motion of Representative Alexander, the House concurs in the Senate committee substitute bill, by electronic vote (90-21), and the bill is ordered enrolled and presented to the Governor.

Representative Alexander requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (91-21).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 968** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES.

On motion of Representative Culp, the House concurs in the Senate committee substitute bill, by electronic vote (112-1), and the bill is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1067** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS.

On motion of Representative Smith, the House concurs in the Senate committee substitute bill, by electronic vote (112-0), and the bill is ordered enrolled and presented to the Governor.

#### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Boyd-McIntyre and without objection, **S.B. 715**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COLLABORATION BETWEEN THE DIVISION OF SOCIAL SERVICES AND THE COMMISSION OF INDIAN AFFAIRS AND THE NORTH CAROLINA DIRECTORS OF SOCIAL SERVICES ASSOCIATION ON INDIAN CHILD WELFARE ISSUES, is withdrawn from the Calendar and placed on the Calendar of July 11.

#### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 1461** (Committee Substitute), A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JACOB WILBERT FORBES, FORMER MEMBER OF THE GENERAL ASSEMBLY, is placed on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **BILL PLACED ON CALENDAR**

Representative Culpepper gives notice, pursuant to Rule 36(b), and **H.J.R. 270**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DALE EARNHARDT, LEGENDARY STOCK CAR RACER, is placed on today's Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

### **CALENDAR (continued)**

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 868** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NAVASSA, AND TO AMEND THE CHARTER OF THE TOWN OF NAVASSA TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND ALLOW FOR DISTRICT ELECTIONS.

On motion of Representative Wright, and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 16.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1430** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO LIMIT THE AUTHORITY OF AGENCIES TO ESTABLISH OR INCREASE FEES CHARGED TO THE PUBLIC; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barefoot, Barnhart, Bell, Bonner,  
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Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Cole, Culpepper, Cunningham, Dedmon, Dockham, Earle, Edwards, Fitch, Fox, Gibson, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Holliman, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morris, Nesbitt, Oldham, Owens, Preston, Redwine, Rogers, Saunders, Sexton, Sherrill, Sutton, Thompson, Tolson, Tucker, Wainwright, Walend, Warner, Warren, Weatherly, Weiss, C. Wilson, Womble, Wright, and Yongue - 72.

Voting in the negative: Representatives Allred, Baker, Barbee, Blust, Brubaker, Clary, Coates, Cox, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Eddins, Ellis, Esposito, Gillespie, Grady, Gulley, Harrington, Hilton, Holmes, Johnson, Justus, Kiser, McComas, McCombs, Morgan, Nye, Pope, Rayfield, Russell, Setzer, Shubert, Smith, Starnes, Teague, Underhill, Walker, Warwick, West, and G. Wilson - 43.

Excused absences: Representatives Blue, J. Crawford, Easterling, and Hiatt - 4.

### **WITHDRAWAL OF BILL FROM CALENDAR**

On motion of Representative Culpepper and without objection, **S.B. 628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING OUT-OF-STATE CERTIFIED PUBLIC ACCOUNTANTS TO NOTIFY THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS WHEN THEY PERFORM WORK IN THIS STATE, AUTHORIZING THE BOARD TO INCREASE FEES, AND AMENDING CERTAIN PROVISIONS RELATING TO CERTIFIED PUBLIC ACCOUNTANTS, is withdrawn from the Calendar and placed on the Calendar of July 11.

### **CALENDAR (continued)**

**S.B. 387**, A BILL TO BE ENTITLED AN ACT REQUIRING THE STATE LICENSING BOARD OF GENERAL CONTRACTORS TO ESTABLISH MINIMUM EXPERIENCE REQUIREMENTS FOR APPLICANTS FOR LICENSURE AS GENERAL CONTRACTORS.

Representative Miller offers Amendment No. 1 which fails of adoption by (17-95).

The bill fails to pass its third reading by electronic vote (49-64).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 836**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES, passes its second reading by electronic vote (112-1).

Representative Daughtry objects to the third reading. The bill remains on the Calendar.

**S.B. 471** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, AND TO ALLOW A CERTAIN TOWN TO EXERCISE PLANNING JURISDICTION OVER A DESCRIBED AREA SUBJECT TO A REFERENDUM.

On motion of Representative Allred, the bill is withdrawn from the Calendar and placed on the Calendar of July 12.

Representative Culpepper moves, seconded by Representative Wright, that the House adjourn subject to the receipt of Committee Reports and the re-referral of bills, to reconvene July 11 at 1:00 p.m.

The motion carries.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Wright, Chair, for the Committee on Health:

**S.B. 826** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A NATIONAL CRIMINAL HISTORY RECORD CHECK FOR CERTAIN LONG-TERM CARE FACILITIES BECAUSE OF FEDERAL REQUIREMENTS LIMITING DISTRIBUTION

OF RECORD CHECK RESULTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Pursuant to Rule 36(b)(2), the Speaker withdraws the bill from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Judiciary II.

By Representatives, Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCRAP TIRE MANAGEMENT LAWS OF THE STATE, with a favorable report, as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 11. The original bill is placed on the Unfavorable Calendar.

The House stands adjourned at 5:30 p.m.

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## NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES  
Wednesday, July 11, 2001

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Jonathan Jeffries, Avent Ferry United Methodist Church, Raleigh, North Carolina.

"Eternal God,

"How gracious is Your presence in all the earth O Lord. Thank you for another day to serve You and to serve as a representative for the people of

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North Carolina. Give us strength and grace to know what is right, to do what is just, and to walk humbly with You. Merciful God forgive us for our sins and help us live according to Your will and commandments. We ask that You influence the leaders of the world so that love and peace and cooperation can abound. Bless those who suffer this day - those who are sick, those who are hungry, those who are homeless, and those with special needs. We especially ask that You comfort the families, friends, and colleagues of those servicemen who were killed in the helicopter crash near Camp Lejeune last night. Be with us now. Be our guide, so that we with patience may run the race that is set before us, looking to You the author and giver of life, our rock and redeemer. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Easterling, and Hiatt for today. Representatives Barbee, Redwine, Sexton, Sherrill, and Thompson are excused for a portion of the session.

### ENROLLED BILLS

The following bills are duly ratified and presented to the Governor:

**S.B. 367**, AN ACT TO EXEMPT THE NORTH CAROLINA FEDERAL TAX REFORM ALLOCATION COMMITTEE AND THE NORTH CAROLINA HOUSING FINANCE AGENCY FROM THE RULE-MAKING REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT WITH REGARD TO ADOPTION OF THE QUALIFIED ALLOCATION PLAN.

**H.B. 593**, AN ACT TO PROVIDE FOR DIRECT PAYMENT OF LICENSED PROFESSIONAL COUNSELORS UNDER HEALTH INSURANCE POLICIES AND PLANS.

**H.B. 968**, AN ACT TO CLARIFY THE AUTHORITY OF COUNTIES AND CITIES TO PROVIDE FOR THE DEFENSE OF AND TO PAY JUDGMENTS AGAINST SOIL AND WATER CONSERVATION SUPERVISORS AND EMPLOYEES.

**H.B. 1067**, AN ACT TO CLARIFY THE AUTOMOTIVE BILL OF RIGHTS.



**H.B. 1286**, AN ACT REPEALING THE REQUIREMENT OF THE CONFERENCE OF DISTRICT ATTORNEYS TO MAINTAIN A REPOSITORY RELATING TO VICTIMS' INFORMATION.

The following resolutions are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.J.R. 270**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DALE EARNHARDT, LEGENDARY STOCK CAR RACER. (RESOLUTION 2001-23)

**H.J.R. 1461**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JACOB WILBERT FORBES, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 2001-24)

### **CHAPTERED BILLS**

The following bill is properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**S.B. 559**, AN ACT INCREASING THE FORCE ACCOUNT LIMIT OF THE CITY OF ASHEVILLE. (S.L. 2001-274)

### **WITHDRAWAL OF BILL FROM CALENDAR**

Pursuant to Rule 36(b)(2), the Chair withdraws **S.B. 729** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MOTORCYCLE INSURANCE RATES ARE SET IN ACCORDANCE WITH THE LAW REGULATING INSURANCE RATES RATHER THAN ESTABLISHED BY THE NORTH CAROLINA RATE BUREAU, from the Calendar pursuant to Rule 36(b) and re-refers it to the Committee on Insurance.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees and permanent subcommittee are presented:

By Representative J. Crawford, Chair, for the Committee on Mental Health:

**H.B. 381**, A BILL TO BE ENTITLED AN ACT TO PHASE-IN IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM AT THE

STATE AND LOCAL LEVEL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 38(a), the Chair refers the committee substitute bill to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Culpepper, Chair, for the Committee on Rules, Calendar, and Operations of the House:

**H.J.R. 833**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN LAWSON ON THE 300TH ANNIVERSARY OF HIS FIFTY-SEVEN DAY FIVE HUNDRED FIFTY-MILE TREK THROUGH THE BACKCOUNTRY OF THE CAROLINAS, with a favorable report.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

**H.B. 1171**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF PUBLIC FINANCING OF CAMPAIGNS FOR APPELLATE JUDGES, reported without prejudice as to committee substitute bill, which changes the title, unfavorable as to original bill, and with recommendation that the committee substitute bill be re-referred to the Committee on Election Law and Campaign Finance Reform.

The committee substitute bill is re-referred to the Committee on Election Law and Campaign Finance Reform. The original bill is placed on the Unfavorable Calendar.

**H.R. 1455**, A HOUSE RESOLUTION HONORING THE MEMORY OF CIVIL WAR VETERANS IRA T. HARDISON AND JOHN F. MCNAIR, AND OTHERS BURIED IN THE WINDLEY CEMETERY AND COMMENDING THE EFFORTS OF THE WINDLEY CEMETERY PERPETUAL CARE ASSOCIATION, INC., AND THE PLYMOUTH COMMUNITY IN RESTORING AND PRESERVING THAT CEMETERY, with recommendation that it be adopted.

Pursuant to Rule 36(b), the resolution is placed on the Calendar.

By Representatives Bonner and Warner, Chairs, for the Committee on Education:

**S.B. 627** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LIABILITY INSURANCE ON MOTOR VEHICLES

OPERATED IN THE STATE BY STUDENTS ADMITTED TO CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Owens and Fox, Chairs, for the Permanent Subcommittee on Natural and Economic Resources:

**H.B. 635** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REGULATE THE BUSINESS OF BODY PIERCING, reported to the Standing Committee on Appropriations, with a favorable recommendation.

### CALENDAR

Action is taken on the following:

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 275** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES.

On motion of Representative Haire, the House concurs in the Senate committee substitute bill, by electronic vote (110-5), and the bill is ordered enrolled and presented to the Governor.

**H.B. 1430** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO LIMIT THE AUTHORITY OF AGENCIES TO ESTABLISH OR INCREASE FEES CHARGED TO THE PUBLIC; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX.

On motion of Representative Luebke and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 12.

**S.B. 628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING OUT-OF-STATE CERTIFIED PUBLIC ACCOUNTANTS TO NOTIFY THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS WHEN THEY PERFORM WORK IN THIS STATE, AUTHORIZING THE BOARD TO INCREASE FEES, AND AMENDING CERTAIN PROVISIONS RELATING TO CERTIFIED PUBLIC ACCOUNTANTS.

On motion of Representative Culpepper and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 17.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 476** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALIGN SUPERIOR COURT DISTRICTS IN GUILFORD AND WAKE COUNTIES.

On motion of Representative Hensley and without objection, the bill is withdrawn from the Calendar and placed on the Calendar of July 12.

**H.B. 1157** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO COMBAT TAX FRAUD, ENHANCE CORPORATE COMPLIANCE WITH TAXES ON TRADEMARK INCOME, ASSURE THAT FRANCHISE TAX APPLIES EQUALLY TO CORPORATE ASSETS, AND CONFORM CORPORATE DIVIDEND TREATMENT TO THE GENERALLY ACCEPTED FORMULA USED IN OTHER STATES.

Representative Pope offers Amendment No. 1 which is adopted by electronic vote (115-0).

Representative C. Wilson offers Amendment No. 2. The Speaker rules the amendment out of order pursuant to Rule 31(d).

Representative C. Wilson moves to suspend the rules in order that her amendment, which changes the title, may be considered. The motion fails by electronic vote (49-68).

Representative Shubert moves to suspend the rules in order that she may offer an amendment that amends the title of the bill. The motion fails by electronic vote (54-61).

Representative Nesbitt offers Amendment No. 3 which is adopted by electronic vote (66-49).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Black; Representatives Adams, Alexander, Allen, Allred, Baddour, Barefoot, Bell, Bonner, Boyd-McIntyre, Buchanan, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Edwards, Fitch, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McCombs, McLawhorn, Michaux, Miller, Miner, Morgan, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Warner, Warren, Warwick, Weiss, Womble, Wright, and Yongue - 66.

Voting in the negative: Representatives Arnold, Baker, Barbee, Barnhart, Blust, Bowie, Brubaker, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Harrington, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McComas, McMahan, Mitchell, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, Walker, Weatherly, West, C. Wilson, and G. Wilson - 51.

Excused absences: Representatives Blue, Easterling, and Hiatt - 3.

**S.B. 836**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES, passes its third reading, by electronic vote (114-1), and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 173** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH.

Representative Holliman offers Amendment No. 1.

Representative Michaux requests that the amendment be divided.

Pursuant to Rule 24.1B, the Speaker divides the amendment into two parts.

Amendment No. 1a is adopted by electronic vote (93-20).

Amendment No. 1b is adopted by electronic vote (93-21).

Representative Preston offers Amendment No. 2.

On motion of the Chair and without objection, Amendment No. 2 is temporarily displaced.

Representative Blust offers Amendment No. 3 which is adopted by electronic vote (63-50).

Representative Preston offers Amendment No. 4 which perfects Amendment No. 2. The amendment is adopted by electronic vote (110-4).

Amendment No. 2, which was temporarily displaced, is before the Body.

The amendment is adopted by electronic vote (108-5).

Representative Harrington moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

The motion fails for lack of a majority by electronic vote (57-57).

The bill, as amended, passes its second reading by electronic vote (62-50).

Representative Starnes objects to the third reading. The bill remains on the Calendar.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committee are presented:

By Representatives Allred and Saunders, Chairs, for the Committee on Transportation:

**H.B. 76, A BILL TO BE ENTITLED AN ACT TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY**, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

**H.B. 1130**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A NEWLY INCORPORATED MUNICIPALITY MAY WAIVE ITS POWELL BILL FUNDS AND HAVE SECONDARY ROADS THAT WERE ON THE PAVEMENT PRIORITY LIST AND SCHEDULED TO BE PAVED PRIOR TO INCORPORATION PAVED BY THE DEPARTMENT OF TRANSPORTATION ACCORDING TO THE PRIORITY LIST, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### CONFERENCE REPORT

Representative Bonner sends forth the Conference Report on Senate Committee Substitute for **H.B. 1246** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of July 12.

### SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

**S.B. 40** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF THE LEGISLATION AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND EXTENDING EXPIRING PROVISIONS OF LAW, is read the first time and without objection, placed on the Calendar of July 12.

### RE-REFERRALS

On motion of Representative Culpepper, pursuant to Rule 39.2 and

without objection, **H.B. 381** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE IN IMPLEMENTATION OF MENTAL HEALTH SYSTEM REFORM AT THE STATE AND LOCAL LEVEL, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Mental Health.

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **S.B. 680** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ONLY THE STATE MAY BRING CERTAIN CIVIL ACTIONS AGAINST FIREARMS OR AMMUNITION MARKETERS, MANUFACTURERS, DISTRIBUTORS, DEALERS, SELLERS, OR TRADE ASSOCIATIONS AND TO AMEND THE LAWS REGARDING GUN SHOWS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary III.

On motion of Representative Culpepper, seconded by Representative Esposito, the House adjourns at 5:57 p.m. to reconvene July 12 at 11:00 a.m.

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## NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES  
Thursday, July 12, 2001

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Sally Bates, Associate Pastor, Hayes Barton United Methodist Church, Raleigh, North Carolina:

“Wondrous Lord God, You have told us that if we are to recognize the signs of Your Kingdom in our midst, we must be looking for the unexpected – a treasure hidden in a field, a tiny seed sprouting in the depths of the earth. But how can we carry the reality of Your kingdom deep in our hearts?

“Perhaps if we can reach the day when there is no one towards whom we feel malice, no one we want to spite or put in their place, no victory we want to win over others, but only victories with and for others - then surely, Lord, we will have entered Your kingdom. Lead us in the paths of righteousness this day. Stretch out Your hands of healing and wholeness on

July 12, 2001



Zeb and assure him of Your comforting presence. For it is in Your Holy name that we pray. Amen.”

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barbee, Easterling, Hiatt, and Weatherly for today.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 836**, AN ACT TO MODIFY THE PUBLIC SCHOOL RESIDENCY REQUIREMENT FOR CHILDREN RESIDING IN PRE-ADOPTIVE HOMES.

**H.B. 275**, AN ACT TO DECRIMINALIZE ABANDONMENT OF AN INFANT UNDER CERTAIN CIRCUMSTANCES AND TO MODIFY SOME PROCEDURES INVOLVING ABANDONED JUVENILES.

**H.B. 558**, AN ACT TO AUTHORIZE THE REAL ESTATE COMMISSION TO ADOPT RULES TO PERMIT REAL ESTATE BROKERS TO PAY TRAVEL AGENTS FOR PROCURING POTENTIAL TENANTS IN VACATION RENTALS.

**H.B. 824**, AN ACT TO REQUIRE THE INSTALLATION OF AN ACCESSIBLE CLEANOUT AT THE JUNCTION OF THE PUBLIC SEWER LINE AND THE HOUSE OR BUILDING SEWER LINE.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Hurley and Dockham, Chairs, for the Committee on Insurance:

**H.B. 1077**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CAREER FIREFIGHTERS' AND RESCUE SQUAD WORKERS' BENEFITS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT

SYSTEM, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

By Representatives Church and Morgan, Chairs, for the Committee on Financial Institutions:

**S.B. 815** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LENDERS TO PROVIDE APPLICANTS FOR HOME LOANS WITH AMORTIZATION CHARTS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**H.B. 831** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE A GREATER ROLE FOR THE STATE BOARD OF ELECTIONS IN PERSONNEL DECISIONS CONCERNING COUNTY ELECTION DIRECTORS; TO ENHANCE THE CERTIFICATION PROGRAM FOR ELECTION OFFICIALS; TO REMOVE LIMITATIONS ON TWO PROVISIONS CONCERNING PRECINCTS; TO CHANGE THE LENGTH OF THE ONE-STOP VOTING PERIOD; TO ALLOW COUNTY BOARDS OF ELECTIONS TO USE OTHER ONE-STOP SITES INSTEAD OF THE COUNTY BOARD OFFICE AS LONG AS A NEARBY SITE IS PROVIDED; TO ALLOW LATER ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS; TO PROVIDE FOR ELECTRONIC TRANSFER OF VOTER REGISTRATION APPLICATIONS FROM THE DIVISION OF MOTOR VEHICLES; TO UPDATE THE STATUTES CONCERNING VOTER REGISTRATION LIST MAINTENANCE; TO REQUIRE PERMANENT VOTER REGISTRATION NUMBERS; TO APPLY THE WRITE-IN STATUTE TO SUPERIOR COURT JUDGE ELECTIONS; TO CORRECT A REFERENCE IN THE CAMPAIGN FINANCE LAW; TO REQUIRE

THAT ALL NEW PRECINCT LINES FOLLOW CENSUS BLOCK LINES UNLESS THE EXECUTIVE DIRECTOR OF THE STATE BOARD OF ELECTIONS GRANTS A WAIVER AFTER MAKING CERTAIN FINDINGS; AND TO RENAME THE EXECUTIVE SECRETARY-DIRECTOR OF THE STATE BOARD OF ELECTIONS THE "EXECUTIVE DIRECTOR", with recommendation that the House concur.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of the Chair and without objection, **S.B. 471** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD, AND TO ALLOW A CERTAIN TOWN TO EXERCISE PLANNING JURISDICTION OVER A DESCRIBED AREA SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and re-referred to the Committee on Ways and Means.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 57** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE REASONABLE AND PRACTICAL REQUIREMENTS FOR THE LABELING OF CAMPAIGN ADS; AND TO CLARIFY MEDIA LIABILITY, is returned for concurrence in one Senate amendment.

Pursuant to Rule 36(b), the bill is placed on the Calendar.

**H.B. 897** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING

AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INCORPORATED, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**2001 GENERAL ASSEMBLY  
FIRST SESSION**

**SPECIAL MESSAGE FROM THE SENATE**

Senate Chamber  
July 12, 2001

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees for **H.B. 1246** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, TO ALLOW INTELLECTUALLY GIFTED YOUTHS TO ATTEND COMMUNITY COLLEGES, AND TO ALLOW CERTAIN YOUTHS TO BE EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

**CONFERENCE REPORT**

Representative Arnold moves the adoption of the following Conference Report.

**Senate Committee Substitute for H.B. 1246**

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

July 12, 2001

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1246, A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, IN COOPERATION WITH THE STATE BOARD OF EDUCATION AND THE STATE BOARD OF COMMUNITY COLLEGES, TO STUDY THE MEASURES USED FOR ADMISSIONS, PLACEMENT, AND ADVANCED PLACEMENT DECISIONS BY THE CONSTITUENT INSTITUTIONS OF THE STATE'S UNIVERSITY SYSTEM, TO ALLOW INTELLECTUALLY GIFTED YOUTHS TO ATTEND COMMUNITY COLLEGES, AND TO ALLOW CERTAIN YOUTHS TO BE EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION, Senate Education/Higher Education Committee Substitute Adopted 6/6/01, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Education/Higher Education Committee Substitute Adopted 6/6/01, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H1246-PCCS7256-SF-5.

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

Date conferees approved Report: July 11, 2001.

*Conferees for the  
Senate*

S/ Walter Dalton, Chair  
S/ Linda Garrou  
S/ Hamilton C. Horton, Jr.

*Conferees for the  
House of Representatives*

S/ Donald A. Bonner, Chair  
S/ Alex Warner  
S/ Gene Arnold

The Conference Report, which changes the title, is adopted, by electronic vote (113-1), and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)

The Senate having previously adopted the Conference Report, the Speaker orders the bill enrolled and presented to the Governor.

July 12, 2001

**CALENDAR**

Action is taken on the following:

**S.B. 40** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF THE LEGISLATION AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND EXTENDING EXPIRING PROVISIONS OF LAW, is moved up on today's Calendar.

REPRESENTATIVE HACKNEY, SPEAKER PRO TEMPORE PRESIDING.

The bill passes its second reading, by electronic vote (113-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor by Special Message.

**S.B. 715**, A BILL TO BE ENTITLED AN ACT TO REQUIRE COLLABORATION BETWEEN THE DIVISION OF SOCIAL SERVICES AND THE COMMISSION OF INDIAN AFFAIRS AND THE NORTH CAROLINA DIRECTORS OF SOCIAL SERVICES ASSOCIATION ON INDIAN CHILD WELFARE ISSUES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

SPEAKER BLACK PRESIDING.

**H.B. 1430** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO LIMIT THE AUTHORITY OF AGENCIES TO ESTABLISH OR INCREASE FEES CHARGED TO THE PUBLIC; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX.

Representative Gibson offers Amendment No. 1.

On motion of Representative Culpepper, the bill with pending amendment is temporarily displaced.

**H.B. 1157** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO COMBAT TAX FRAUD, ENHANCE CORPORATE COMPLIANCE WITH TAXES ON TRADEMARK INCOME, ASSURE THAT FRANCHISE TAX APPLIES EQUALLY TO CORPORATE ASSETS, AND CONFORM CORPORATE DIVIDEND TREATMENT TO THE GENERALLY ACCEPTED FORMULA USED IN OTHER STATES.

Representative Hackney offers Amendment No. 4 which is adopted by electronic vote (112-0).

The Chair stops debate and attends to the following business.

### **ENROLLED BILLS**

The following bills are duly ratified and presented to the Governor:

**S.B. 40**, AN ACT TO EXTEND THE EXPIRATION DATE OF THE LEGISLATION AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND EXTENDING EXPIRING PROVISIONS OF LAW.

**H.B. 236**, AN ACT TO ALLOW CERTAIN SANITARY DISTRICTS TO MAKE SATELLITE ANNEXATIONS IN CONJUNCTION WITH SIMILAR ANNEXATIONS MADE BY MUNICIPALITIES LOCATED WITHIN THE SANITARY DISTRICT.

The following bills are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 695**, AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO MECKLENBURG COUNTY ZONING.

**H.B. 696**, AN ACT TO REPEAL THE SUNSET RELATING TO MECKLENBURG MUNICIPAL ZONING.

### **CALENDAR (continued)**

**H.B. 1157** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO COMBAT TAX FRAUD, ENHANCE CORPORATE COMPLIANCE WITH TAXES ON TRADEMARK INCOME, ASSURE THAT FRANCHISE

TAX APPLIES EQUALLY TO CORPORATE ASSETS, AND CONFORM CORPORATE DIVIDEND TREATMENT TO THE GENERALLY ACCEPTED FORMULA USED IN OTHER STATES, is before the Body.

Representative C. Wilson moves that Rule 31(d) be suspended in order that she might offer an amendment.

Representative Culpepper inquires of the Chair if the proposed amendment meets the germaneness rule. The Speaker rules that the amendment is not germane.

The motion to suspend the rules fails by electronic vote (53-59).

Representative Shubert states that she has an amendment to offer.

The Speaker rules that the amendment is not germane.

Representative Shubert moves to suspend the rules in order that she might offer an amendment.

The motion to suspend the rule fails by electronic vote (53-60).

Representative Pope inquires of the Chair if the amendments that were incorporated into the original bill to make the committee substitute were germane. The Speaker rules that the bill is properly before the Body and the amendments of Representative C. Wilson and Representative Shubert were not germane.

Representative Blust offers Amendment No. 5, which fails of adoption by electronic vote (51-64).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Baddour, Barefoot, Bell, Blue, Bonner, Boyd-McIntyre, Buchanan, Church, Coates, Cole, Cox, J. Crawford, Culpepper, Cunningham, Dedmon, Earle, Edwards, Fitch, Fox, Gibson, Goodwin, Hackney, Haire, Hall, Hensley, Hill, Holliman, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McAllister, McCombs, McLawhorn, Michaux, Miller, Miner, Morgan, Nesbitt, Nye, Oldham, Owens, Redwine, Rogers, Saunders, Sherrill, Smith, Sutton, Tolson, Tucker, Underhill,



Wainwright, Warner, Warren, Warwick, Weiss, Womble, Wright, and Yongue - 66.

Voting in the negative: Representatives Arnold, Baker, Barnhart, Blust, Bowie, Brubaker, Capps, Carpenter, Clary, M. Crawford, Creech, Culp, Daughtry, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Gray, Gulley, Harrington, Hilton, Holmes, Howard, Johnson, Justus, Kiser, McMahan, Mitchell, Morris, Pope, Preston, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Teague, Thompson, Walend, Walker, West, C. Wilson, and G. Wilson - 48.

Excused absences: Representatives Barbee, Easterling, Hiatt, and Weatherly - 4.

**S.B. 476** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALIGN SUPERIOR COURT DISTRICTS IN GUILFORD AND WAKE COUNTIES, passes its second reading by electronic vote (114-0).

Representative Boyd-McIntyre objects to the third reading. The bill remains on the Calendar.

On motion of Representative Culpepper, seconded by Representative Morgan, the House adjourns at 1:28 p.m. to reconvene Monday, July 16, 2001, at 7:00 p.m.

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## NINETY-NINTH DAY

HOUSE OF REPRESENTATIVES  
Monday, July 16, 2001

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"Equipping God, You provide us with grace sufficient for each situation. We thank You for our positions in this Legislative Body and pray for the wisdom and skill to do our work well. We thank You for the gift of truth which lights our path and pray that we would have the courage to

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pursue it. We thank You for Your Spirit that moves among us and pray that Your Spirit will energize us when our stamina ebbs and our vision of servanthood fades. Above all, we thank You for Your generosity, which continues to supply our every need. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Coates, Cole, Easterling, Gray, Hiatt, McAllister, Shubert, Thompson, and C. Wilson for today. Representatives Allred, Nesbitt, and Wright are excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 715**, AN ACT TO REQUIRE COLLABORATION BETWEEN THE DIVISION OF SOCIAL SERVICES AND THE COMMISSION OF INDIAN AFFAIRS AND THE NORTH CAROLINA DIRECTORS OF SOCIAL SERVICES ASSOCIATION ON INDIAN CHILD WELFARE ISSUES.

### **CHAPTERED BILLS**

The following bills are properly enrolled, assigned a chapter number, and presented to the office of the Secretary of State:

**H.B. 695**, AN ACT TO REPEAL THE SUNSET PROVISION RELATING TO MECKLENBURG COUNTY ZONING. (S.L. 2001-275)

**H.B. 696**, AN ACT TO REPEAL THE SUNSET RELATING TO MECKLENBURG MUNICIPAL ZONING. (S.L. 2001-276)

**H.B. 643**, AN ACT ESTABLISHING A QUALIFIED TESTIMONIAL PRIVILEGE FOR COMMUNICATIONS WITH AGENTS OF RAPE CRISIS CENTERS AND DOMESTIC VIOLENCE PROGRAMS. (S.L. 2001-277)

**H.B. 598**, AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH PRIVATELY EMPLOYED INDIVIDUALS OR THEIR

EMPLOYERS FOR BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED PROJECTS. (S.L. 2001-278)

**S.B. 365**, AN ACT TO PROVIDE FOR ELECTRONIC LISTING OF BUSINESS PERSONAL PROPERTY FOR AD VALOREM TAXES AND TO ALLOW COUNTIES TO EXTEND THE LISTING PERIOD FOR ELECTRONIC LISTING. (S.L. 2001-279)

**H.B. 75**, AN ACT TO PROVIDE FOR THE DISTRIBUTION OF COPIES OF THE APPELLATE DIVISION REPORTS TO THE CHEROKEE SUPREME COURT. (S.L. 2001-280)

**H.B. 722**, AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE. (S.L. 2001-281)

**H.B. 884**, AN ACT TO ASSIST AN INNOCENT PERSON CHARGED WITH OR WRONGLY CONVICTED OF A CRIMINAL OFFENSE IN ESTABLISHING THE PERSON'S INNOCENCE. (S.L. 2001-282)

**H.B. 307**, AN ACT TO APPLY A LAW CLOSING A LOOPHOLE IN THE MINIMUM HOUSING STANDARDS ACT AS IT APPLIES TO MUNICIPALITIES LOCATED IN COUNTIES WITH POPULATIONS IN EXCESS OF SEVENTY-ONE THOUSAND PEOPLE BY THE LAST CENSUS WHERE THE OWNER CAN AVOID ORDERS TO REPAIR, REMOVE, OR DEMOLISH A RENTAL UNIT BY SIMPLY CLOSING IT SO THAT IT WILL APPLY IN THE ENTIRETY OF A MUNICIPALITY LOCATED IN MORE THAN ONE COUNTY WHERE SOME OF THE MUNICIPALITY IS LOCATED IN A COUNTY THAT MEETS THE POPULATION THRESHOLD. (S.L. 2001-283)

**H.B. 1111**, AN ACT TO EXPAND THE POWERS AND DUTIES OF THE SOIL AND WATER CONSERVATION COMMISSION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INCLUDE DEVELOPMENT AND IMPLEMENTATION OF A PROGRAM TO APPROVE WATER QUALITY AND ANIMAL WASTE MANAGEMENT SYSTEM TECHNICAL SPECIALISTS AND DEVELOPMENT AND APPROVAL OF WATER QUALITY BEST MANAGEMENT PRACTICES. (S.L. 2001-284)

**H.B. 334**, AN ACT AMENDING THE EMPLOYMENT SECURITY LAWS TO EXEMPT FROM THE DEFINITION OF EMPLOYER GOVERNMENTAL EMPLOYERS WHO HIRE INTERNS. (S.L. 2001-285)

**S.B. 243**, AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO USE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEMS AND TO AUTHORIZE THE MUNICIPALITIES IN WAKE COUNTY TO USE RED LIGHT CAMERAS FOR SAFETY, FOR SCHOOLS, BUT NOT FOR PROFIT. (S.L. 2001-286)

**S.B. 40**, AN ACT TO EXTEND THE EXPIRATION DATE OF THE LEGISLATION AUTHORIZING THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 2001, AND EXTENDING EXPIRING PROVISIONS OF LAW. (S.L. 2001-287)

#### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 11** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FILLING VACANCIES IN NOMINATION FOR THE NATIONAL TICKET AND FOR PRESIDENTIAL ELECTOR; TO EXPAND THE NOTICE REQUIREMENT FOR PRECINCT CHANGES; TO CLARIFY THE RIGHT OF MILITARY/OVERSEAS VOTERS TO REGISTER AND VOTE ON ELECTION DAY; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO FOLLOW THE DIRECTION OF THE STATE BOARD OF ELECTIONS IN PRINTING ABSENTEE BALLOTS DURING AND AFTER THE PENDENCY OF APPEALS; TO REPEAL A COURT-DISAPPROVED PROVISION OF THE AD-LABELING LAW; TO TOLL THE VERIFICATION OF MUNICIPAL INCORPORATION PETITIONS DURING A PERIOD AROUND A PRIMARY OR ELECTION AND TO MAKE OTHER CHANGES TO THE INCORPORATION PETITION STATUTE; TO MAKE TECHNICAL CHANGES TO THE MANDATORY RECOUNT STATUTES; TO REQUIRE PRIVACY FOR THE VOTER TO MARK THE BALLOT; AND TO STOP THE DAILY CAMPAIGN FINANCE PENALTY AFTER THE POSTMARK DATE SO AS TO ELIMINATE EXCESS POSTAGE COSTS, with a favorable report

as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(b), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke and Wainwright, Chairs, for the Committee on Finance:

**S.B. 144** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ENABLE NORTH CAROLINA TO ENTER THE STREAMLINED SALES AND USE TAX AGREEMENT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

### MESSAGES FROM THE SENATE

The following are received from the Senate:

**H.B. 34** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO BAN BUTTERFLY AND PUNCH-CARD BALLOTS, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**H.B. 385** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE IN ONE PLACE IN THE GENERAL STATUTES VARIOUS BUSINESS ASSOCIATION PROVISIONS TO AVOID UNNECESSARY REPETITION, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in Senate committee substitute bill and referred to the Committee on Judiciary II.

The Speaker rules the Senate committee substitute bill to be material, thus constituting its first reading.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.R. 1455**, A HOUSE RESOLUTION HONORING THE MEMORY OF CIVIL WAR

VETERANS IRA T. HARDISON AND JOHN F. MCNAIR, AND OTHERS BURIED IN THE WINDLEY CEMETERY AND COMMENDING THE EFFORTS OF THE WINDLEY CEMETERY PERPETUAL CARE ASSOCIATION, INC., AND THE PLYMOUTH COMMUNITY IN RESTORING AND PRESERVING THAT CEMETERY, is withdrawn from the Calendar and placed on the Calendar of July 24.

### CALENDAR

Action is taken on the following:

**H.B. 1430** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF LABOR TO ESTABLISH CERTAIN FEES; TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR PUBLIC SCHOOLS; TO LIMIT THE AUTHORITY OF AGENCIES TO ESTABLISH OR INCREASE FEES CHARGED TO THE PUBLIC; AND TO EXEMPT PRISONS LOCATED ON LAND OWNED BY THE STATE AND BUILT PURSUANT TO A CONTRACT WITH THE STATE FROM PROPERTY TAX, is before the Body with Amendment No. 1 pending.

Representative Gibson withdraws Amendment No. 1.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Baddour, Barbee, Barefoot, Barnhart, Bell, Blue, Bonner, Bowie, Boyd-McIntyre, Buchanan, Capps, Carpenter, Church, Cox, J. Crawford, Culpepper, Cunningham, Daughtry, Dedmon, Earle, Edwards, Fitch, Fox, Gibson, Goodwin, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Lucas, Luebke, McComas, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Oldham, Owens, Preston, Redwine, Rogers, Russell, Saunders, Sherrill, Smith, Sutton, Teague, Tolson, Tucker, Wainwright, Walend, Walker, Warner, Warren, Weatherly, Weiss, G. Wilson, Womble, and Yongue - 76.

Voting in the negative: Representatives Baker, Blust, Brubaker, M. Crawford, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Gillespie, Grady, Hilton, Johnson, Justus, Kiser, McCombs, Morgan, Morris, Nye, Pope, Rayfield, Setzer, Starnes, Underhill, Warwick, and West - 29.

Excused absences: Representatives Allred, Coates, Cole, Easterling, Gray, Hiatt, McAllister, Nesbitt, Shubert, Thompson, C. Wilson, and Wright - 12.

**S.B. 173** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH.

Representative Sutton offers Amendment No. 5 which is adopted by electronic vote (103-2).

Representative Harrington offers Amendment No. 6 which fails of adoption by electronic vote (51-56).

The bill, as amended, passes its third reading, by electronic vote (64-44), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

### WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Culpepper and without objection, **H.B. 868** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF NAVASSA, AND TO AMEND THE CHARTER OF THE TOWN OF NAVASSA TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND ALLOW FOR DISTRICT ELECTIONS, is withdrawn from the Calendar and placed on the Calendar of July 17.

### CALENDAR (continued)

**S.B. 476** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REALIGN SUPERIOR COURT DISTRICTS IN GUILFORD AND WAKE COUNTIES, passes its third reading, by electronic vote (106-0), and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 690**, A BILL TO BE ENTITLED AN ACT TO AMEND THE FACILITY AUTHORITY ACT SO AS TO CLARIFY THAT THE

CHANCELLOR REPRESENTS THE INTEREST OF A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled and presented to the Governor.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DRUG OFFENSES COMMITTED AT OR NEAR CHILD CARE CENTERS, passes its second reading, by electronic vote (106-0), and remains on the Calendar.

### INTRODUCTION OF PAGES

Pages for the week of July 16 are introduced to the membership. They are: Ashley Arlow of Lincoln; Sara Barber of Wake; Margaret Brooks of Wake; Jodi Burleson of Stanly; Nicholas Byrne of Gaston; David Chapman, III, of Jones; Bryan DeVaughn, II, of Jones; Courtney Dial of Wake; Heather Eller of Wilkes; Richard Hunter French of Lincoln; Jeffrey Gannon of New Hanover; Mary Catherine Gibbons of Wake; Benjamin Harrell of Martin; Valerie Harris of Wilkes; Justin Johnson of Pender; Crystal Jones of Halifax; Ashley Martenson of Buncombe; Emily Morton of Stanly; Lesli Oakley of Wake; Adam Sholar of Harnett; Elizabeth Tatum of Cumberland; and Jordan Wood of Harnett.

### 2001 GENERAL ASSEMBLY FIRST SESSION

### SPECIAL MESSAGE FROM THE SENATE

Senate Chamber  
July 16, 2001

Mr. Speaker:

Pursuant to your message received on July 4, 2001, that the House of Representatives fails to concur in the Senate Committee Substitute to **H.B. 1068** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES RELATING TO LONG-TERM CARE; AND TO

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DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A QUALITY IMPROVEMENT CONSULTATION PROGRAM, and requests conferees, the Deputy President Pro Tempore appoints:

Senator Purcell, Chair  
Senator Carter  
Senator Dannelly  
Senator Garwood

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

Respectfully,  
S/ Janet B. Pruitt  
*Principal Clerk*

### RE-REFERRAL

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 865**, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE OPERATION OF OFF-ROAD VEHICLES ON CERTAIN PROPERTY IN BRUNSWICK COUNTY, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Culpepper, seconded by Representative Sherrill, the House adjourns at 8:45 p.m. to reconvene July 17 at 2:30 p.m.

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## ONE HUNDREDTH DAY

HOUSE OF REPRESENTATIVES  
Tuesday, July 17, 2001

The House meets at 2:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend Mike Frese, House Chaplain:

"O God, though we are united in our quest for the common good, we are divided in means to best accomplish this goal. At times it seems as if

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our diversity is a curse, rather than a blessing of creation. Grant us your grace not only to listen to, but actually hear the positions of others. Open our minds, that we would not be so tied to our own point of view that we would fail to consider the views of others. Forbid that we would see those who disagree with us as adversaries and enemies. Rather, may we hear their positions with the same consideration we would have them hear our own. Guide us through the give and take of open discussion, that we might be led to a fuller understanding of the issues and a better resolution of how to resolve them. Amen."

Representative Culpepper, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Baddour, Easterling, and McAllister for today. Representative Weatherly is excused for a portion of the session.

### **ENROLLED BILLS**

The following bill is duly ratified and presented to the Governor:

**S.B. 690**, AN ACT TO AMEND THE FACILITY AUTHORITY ACT SO AS TO CLARIFY THAT THE CHANCELLOR REPRESENTS THE INTEREST OF A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representative Alexander, Chair, for the Committee on Election Law and Campaign Finance Reform:

**S.B. 17** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 13 AND ARTICLE 14 OF CHAPTER 163 OF THE GENERAL STATUTES, AS RECOMMENDED BY THE ELECTION LAWS REVISION COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representatives Allen, Buchanan, Luebke, and Wainwright, Chairs, for the Committee on Finance:

**H.B. 583** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE NASH COUNTY OCCUPANCY TAX, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 18.

By Representative Dedmon, Chair, for the Committee on Local Government I:

**S.B. 255** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ADD TWO ADDITIONAL MEMBERS TO THE INTERIM COUNCIL OF THE TOWN OF MIDLAND, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

**S.B. 405**, A BILL TO BE ENTITLED AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRA-STRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(b), the House committee substitute bill is placed on the Calendar of July 18. The original bill is placed on the Unfavorable Calendar.

**S.B. 407**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO ALLOW THAT CITY TO USE QUICK TAKE PROCEDURE FOR ACQUISITION OF PROPERTY TO BE USED FOR STORMWATER AND PUBLIC TRANSPORTATION SYSTEMS, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 18.

**S.B. 420** (Committee Substitute), A BILL TO BE ENTITLED AN ACT ELIMINATING THE RESIDENCY REQUIREMENT FOR POLICE OFFICERS OF THE CITY OF ROCKY MOUNT, with a favorable report.

Pursuant to Rule 36(b), the bill is placed on the Calendar of July 18.

### **SUBCOMMITTEE REFERRAL**

Representatives Bonner and Warner, Chairs, for the Standing Committee on Education, refer **S.B. 531** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN COMMUNITY COLLEGE ACTIVITIES FROM THE UMSTEAD ACT, to the Education Subcommittee on Community Colleges.

### **MESSAGES FROM THE SENATE**

The following are received from the Senate:

**H.B. 1318** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE FARM MACHINERY AGREEMENT LAW, is returned for concurrence in Senate committee substitute bill.

Pursuant to Rule 36(b), the Senate committee substitute bill is placed on the Calendar.

**S.B. 1062**, A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION ACT AND AUTHORIZING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD TO REGULATE THE PROVISION OF SUBSTANCE ABUSE SERVICES BY REGISTRANTS AND TO INCREASE FEES, is read the first time and referred to the Committee on Finance.

### **CALENDAR**

Action is taken on the following:

**H.B. 868** (Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE

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LIMITS OF THE TOWN OF NAVASSA, AND TO AMEND THE CHARTER OF THE TOWN OF NAVASSA TO CHANGE THE TERM OF OFFICE OF THE MAYOR AND ALLOW FOR DISTRICT ELECTIONS.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Allred, Arnold, Baker, Barbee, Barefoot, Barnhart, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Carpenter, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Creech, Culp, Culpepper, Cunningham, Daughtry, Davis, Decker, Dedmon, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Gillespie, Goodwin, Grady, Gray, Gulley, Hackney, Haire, Hall, Harrington, Hensley, Hiatt, Hill, Hilton, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Justus, Kiser, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miller, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Owens, Pope, Preston, Rayfield, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Shubert, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Baddour, Easterling, McAllister, and Weatherly - 4.

### WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Culpepper and without objection, **S.B. 24** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and placed on the Calendar of July 18.

On motion of Representative Culpepper and without objection, **S.B. 751** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR DRUG OFFENSES COMMITTED

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AT OR NEAR CHILD CARE CENTERS, is withdrawn from the Calendar and placed on the Calendar of July 19.

On motion of Representative Culpepper and without objection, **S.B. 278** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERSONS CONVICTED OF SECOND OR SUBSEQUENT OFFENSES INVOLVING THE THEFT OF MOTOR FUEL SHALL HAVE THEIR DRIVERS LICENSES REVOKED, is withdrawn from the Calendar and placed on the Calendar of July 19.

### CALENDAR (continued)

**S.B. 628** (Committee Substitute), A BILL TO BE ENTITLED AN ACT REQUIRING OUT-OF-STATE CERTIFIED PUBLIC ACCOUNTANTS TO NOTIFY THE STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS WHEN THEY PERFORM WORK IN THIS STATE, AUTHORIZING THE BOARD TO INCREASE FEES, AND AMENDING CERTAIN PROVISIONS RELATING TO CERTIFIED PUBLIC ACCOUNTANTS.

Representative Shubert requests that she be excused from voting on this bill because she is a CPA and there is a possible perceived conflict of interest, under Rule 24.1A, and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allen, Arnold, Barbee, Barefoot, Bell, Blue, Blust, Bonner, Bowie, Boyd-McIntyre, Brubaker, Buchanan, Capps, Church, Clary, Coates, Cole, Cox, J. Crawford, M. Crawford, Culp, Culpepper, Cunningham, Daughtry, Dedmon, Dockham, Earle, Edwards, Ellis, Esposito, Fitch, Fox, Gibson, Goodwin, Gray, Gulley, Hackney, Haire, Hall, Hensley, Hiatt, Hill, Holliman, Holmes, Howard, Hunter, Hurley, Insko, Jarrell, Jeffus, Johnson, Justus, Lucas, Luebke, McComas, McCombs, McLawhorn, McMahan, Michaux, Miner, Mitchell, Morgan, Morris, Nesbitt, Nye, Oldham, Owens, Preston, Rogers, Russell, Saunders, Setzer, Sexton, Sherrill, Smith, Starnes, Sutton, Teague, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Warren, Warwick, Weiss, West, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Baker, Barnhart, Carpenter, Creech, Davis, Decker, Eddins, Gillespie, Grady, Harrington, Hilton, Kiser, Pope, and Rayfield - 15.

Excused absences: Representatives Baddour, Easterling, McAllister, and Weatherly - 4.

Representative Miller requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (97-15).

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 76** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO DESIGNATE INTERSTATE HIGHWAY 95 AS THE PURPLE HEART MEMORIAL HIGHWAY, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.J.R. 833**, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN LAWSON ON THE 300TH ANNIVERSARY OF HIS FIFTY-SEVEN DAY FIVE HUNDRED FIFTY-MILE TREK THROUGH THE BACKCOUNTRY OF THE CAROLINAS, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**H.B. 1130** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN NEWLY INCORPORATED MUNICIPALITIES THAT ARE NOT ELIGIBLE FOR POWELL BILL FUNDS AND THAT HAD ROADS ON THE SECONDARY PAVING PRIORITY LIST SHALL KEEP THEIR PREINCORPORATION SECONDARY ROAD PAVING PRIORITY.

On motion of Representative Redwine, the bill is withdrawn from the Calendar, by electronic vote (114-0), and placed on the Calendar of July 18.

Pursuant to Rule 36(b), the following bill appears on today's Calendar.

**S.B. 627** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE LIABILITY INSURANCE ON MOTOR VEHICLES OPERATED IN THE STATE BY STUDENTS WHO REQUEST A PERMIT TO PARK AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, passes its second reading, by electronic vote (98-17).

Representative Goodwin objects to the third reading. The bill remains on the Calendar.

### **REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES**

The following report from standing committee is presented:

By Representatives Gibson, McComas, and Warwick, Chairs, for the Committee on Environment and Natural Resources:

**H.B. 612**, A BILL TO BE ENTITLED AN ACT TO DISAPPROVE THE ADMINISTRATIVE RULE RECLASSIFICATION BY THE ENVIRONMENTAL MANAGEMENT COMMISSION OF CERTAIN WATERS IN THE NEUSE RIVER BASIN BELOW FALLS LAKE DAM THAT WOULD HAVE THE EFFECT OF ALLOWING THE TOWN OF WAKE FOREST TO WITHDRAW ADDITIONAL WATER FROM THE NEUSE RIVER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(b), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

### **RE-REFERRAL**

On motion of Representative Culpepper, pursuant to Rule 39.2 and without objection, **H.B. 649**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE 2001 GENERAL ASSEMBLY TO CONSIDER AN EMERGENCY APPROPRIATIONS BILL TO FUND DISTRIBUTIONS TO LOCAL GOVERNMENTS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Judiciary I.

On motion of Representative Culpepper, seconded by Representative Weiss, the House adjourns at 3:50 p.m. to reconvene July 18 at 3:00 p.m.